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भारत का राजपत्र The Gazette of India

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सं. 34] नई दिल्ली, अगस्त 15-अगस्त 21, 2010, शनिवार/श्रावण 24-श्रावण 30, 1932
No. 34] NEW DELHI, AUGUST 15-AUGUST 21, 2010, SATURDAY/SHRAVANA 24-SHRAVANA 30, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 11 अगस्त, 2010

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 11th, August, 2010

का.अ. 2031.—केन्द्रीय सरकार एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उच्च न्यायालय/सर्वोच्च न्यायालय में दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषित किए जा रहे श्री ओमप्रकाश चौटाला तथा अन्यो के विरुद्ध आरसी 2(ए)/2006-एसीयू-7 (गैर-अनुपाती सम्पत्ति मामले) आपराधिक विविध याचिका का तथा इस मामले से उद्भूत अन्य मामलों का संचालन करने के लिए सर्वश्री दया कृष्णन तथा गौतम नारायणन, वकीलों को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

S. O. 2031.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints S/Shri Dayan Krishnan and Gautam Narayanan, Advocates as Special Public prosecutor for appearing in the Criminal Misc. Petition in Case RC 2(A)/06/ACU-VII (Disproportionate assets case) against Shri Om Prakash Chautala and others and other related matters arising out of the case investigated by the Delhi Special Police Establishment in the High Court/Supreme Court.

[सं. 225/23/2010-एवीडी-II]

[No. 225/23/2010-AVD-II]

मुकेश चतुर्वेदी, अवर सचिव

MUKESH CHATURVEDI, Under Secy.

नई दिल्ली, 12 अगस्त, 2010

का.आ. 2032.—केन्द्रीय सरकार एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए गांधीनगर के जूनसत उच्च न्यायालय सहित गांधीनगर के विभिन्न न्यायालयों में आरसान (एम)-2010-मुम्बई (सोहराबुद्दीन हत्या मामला) में श्री डी. एन. साल्वी, एडवोकेट को अपीलों/पुनरीक्षणों या इससे संबंधित अन्य मामलों तथा सम्बद्ध मामलों के संचालन के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/25/2010-एवीडी-II]

मुकेश चतुर्वेदी, अवर सचिव

New Delhi, the 12th, August, 2010

S. O. 2032.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri D. N. Salvi Advocate as Special Public Prosecutor for appearing in RC 4(S)/2010-Mum. (Sohrabuddin Murder Case), in various courts at Gandhinagar including Hon'ble High Court of Gujarat at Gandhinagar and appeals/revisions or other matters connected therewith and incidental thereto.

[No. 225/25/2010-AVD-II]

MUKESH CHATURVEDI, Under Secy.

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 9 अगस्त, 2010

का.आ. 2033.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 9 के उप खण्ड (1) एवं (2) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा (3) के खण्ड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री श्रीधर लाल लखोटिया (जन्म तिथि-11-10-1953), विशेष सहायक, इंडियन ओवरसीज बैंक को अधिसूचना की तारीख से तीन वर्षों की अवधि के लिए अथवा इंडियन ओवरसीज बैंक के कार्यक्रम कर्मचारी बने रहने तक अथवा अगला आदेश होने तक, जो भी पहले हो, इंडियन ओवरसीज बैंक के निदेशक मंडल में कर्मकार कर्मचारी निदेशक के रूप में नामित करती है।

[फा. सं. 9/22/2009-बीओ-I]

सुमिता डावरा, निदेशक

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 9th, August, 2010

S. O. 2033.—In exercise of the powers conferred by clause (e) of Sub-section 3 of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act,

1970/1980 read with Sub-clause (1) & (2) of Clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980 the Central Government hereby appoints Shri Sridhar Lal Lakhota (DoB 11-10-1953), Special Assistant, Indian Overseas Bank, as Workmen Employee Director on the Board of Directors of Indian Overseas Bank for a period of three years from the date of notification or until he ceases to be a workmen employee of the Indian Overseas Bank or until further orders, whichever is the earliest.

[F.No. 9/32/2009-BO-I]

SUMITA DAWRA, Director

नई दिल्ली, 16 अगस्त, 2010

का.आ. 2034.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 9 के उप खण्ड (1) एवं (2) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा (3) के खण्ड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री गौर दास (जन्म तिथि-31-12-1953), विशेष सहायक, इलाहाबाद बैंक को अधिसूचना की तारीख से तीन वर्षों की अवधि के लिए अथवा इलाहाबाद बैंक के कर्मकार कर्मचारी बने रहने तक अथवा अगला आदेश होने तक, जो भी पहले हो, इलाहाबाद बैंक के निदेशक मंडल में कर्मकार कर्मचारी निदेशक के रूप में नामित करती है।

[फा. सं. 9/22/2009-बीओ-I]

सुमिता डावरा, निदेशक

New Delhi, the 16th, August, 2010

S. O. 2034.—In exercise of the powers conferred by clause (e) of Sub-section 3 of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with Sub-clause (1) & (2) of Clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980 the Central Government hereby appoints Shri Gour Das (DoB 31-12-1953), Special Assistant, Allahabad Bank, as Workmen Employee Director on the Board of Directors of Allahabad Bank for a period of three years from the date of nomination or till he ceases to be a workmen employee of the Allahabad Bank or until further orders, whichever is the earliest.

[F.No. 9/22/2009-BO-I]

SUMITA DAWRA, Director

सूचना एवं प्रसारण मंत्रालय

नई दिल्ली, 29 जुलाई, 2010

का.आ. 2035.—इस मंत्रालय की दिनांक 11-11-2009 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्र

अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार, श्री चन्द्र प्रकाश गिरि, मरचक घट्टे, पी. ओ. रानोपुल, पूर्वी सिक्किम-737135 को, तत्काल प्रभाव से दो वर्षों की अवधि के लिए या अगले आदेश होने तक, इनमें से जो भी पहले हो, केंद्रीय फिल्म प्रमाणन बोर्ड के गुवाहाटी सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/5/2008-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 29th, July, 2010

S. O. 2035.—In continuation of Ministry's Notification of even number, dated 11-11-2009 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Shri Chandra Prakash Giri, Marchak Ghatte, P.O. Ranipul, East Sikkim-737135 as a member of the Guwahati Advisory Panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F. No. 809/5/2008-F(C)]

AMITABH KUMAR, Director (Films)

नई दिल्ली, 2 अगस्त, 2010

का.आ. 2036.—इस मंत्रालय की दिनांक 11-11-2009 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार, श्रीमती मानसी प्रधान, कॉन्वेंट स्कूल लेन, वीआईपी रोड, पुरी-752001 को, तत्काल प्रभाव से दो वर्षों की अवधि के लिए या अगले आदेश होने तक, इनमें से जो भी पहले हो, केंद्रीय फिल्म प्रमाणन बोर्ड के कटक सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/4/2008-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

New Delhi, the 2nd August, 2010

S. O. 2036.—In continuation of this Ministry's Notification of even number, dated 11-11-2009 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Smt. Manasi Pradhan, Convent School Lane, VIP Road, Puri-752001 as a member of the Cuttack Advisory Panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

[F. No. 809/4/2008-F(C)]

AMITABH KUMAR, Director (Films)

नई दिल्ली, 2 अगस्त, 2010

का.आ. 2037.—इस मंत्रालय की दिनांक 10-11-2009 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार, निर्मालिखित व्यक्तियों को, तत्काल प्रभाव से दो वर्षों की अवधि के लिए या अगले आदेश होने तक, इनमें से जो भी पहले हो, केंद्रीय फिल्म प्रमाणन बोर्ड के मुंबई सलाहकार पैनल के सदस्यों के रूप में नियुक्त करती है।

(i) श्रीमती शकुन कुलश्रेष्ठ, फ्लैट सं. 504, जीरोम अपार्टमेंट्स, सुंदरनगर, कलिना सांताक्रुज पूर्व, मुंबई-98

(ii) श्री रोहित साहाजीराव पाटिल, श्रीराम थिएटर, अकलुज, तालुका-मलसिरस, जिला-शोलापुर, महाराष्ट्र।

[फा. सं. 809/7/2009-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

New Delhi, the 2nd August, 2010

S. O. 2037.—In continuation of this Ministry's Notification of even number, dated 10-11-2009 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint the following persons as members of the Mumbai Advisory Panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

(i) Smt. Shakun Kulshreshtha, Flat No. 504, Jerome Apartments, Sundernagar. Kalina Santacruz East, Mumbai-98

(ii) Shri Rohit Shahjirao Patil, Shriram Theatre. Akluj, Taluka- Malshiras, District-Solapur- Maharashtra.

[F. No. 809/7/2009-F(C)]

AMITABH KUMAR, Director (Films)

मानव संसाधन विकास मंत्रालय

(उच्चतर शिक्षा विभाग)

(राजभाषा प्रभाग)

नई दिल्ली, 10 अगस्त, 2010

का.आ. 2038.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उप-नियम 4 के अनुसरण में, मानव संसाधन विकास मंत्रालय के अन्तर्गत केन्द्रीय माध्यमिक शिक्षा बोर्ड के निर्माण/विस्तार 4 क्षेत्रीय कार्यालयों को, ऐसी संस्थाओं के रूप में, जिनमें 80 प्रतिशत से

अधिक अधिकारों में हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:-

1. क्षेत्रीय कार्यालय, केन्द्रीय माध्यमिक शिक्षा बोर्ड, दिल्ली
2. क्षेत्रीय कार्यालय, केन्द्रीय माध्यमिक शिक्षा बोर्ड, पंचकुला (हरियाणा),
3. क्षेत्रीय कार्यालय, केन्द्रीय माध्यमिक शिक्षा बोर्ड, इलाहाबाद (उ.प्र.).
4. क्षेत्रीय कार्यालय, केन्द्रीय माध्यमिक शिक्षा बोर्ड, अजमेर (राजस्थान).

[सं. 11011-1/2010-उ.भा.ए.]

डा.अनिता भटनागर जैन, संयुक्त सचिव

**MINISTRY OF HUMAN RESOURCE
DEVELOPMENT**

(Deptt. of Higher Education)

(O. L. Division)

New Delhi, the 10th, August, 2010

S. O. 2038.—In pursuance of sub rule (4) of rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following 04 Regional Offices of Central Board of Secondary Education under the Ministry of Human Resource Development, whose more than 80% members of the staff have acquired working knowledge of Hindi :-

1. Regional office, Central Board of Secondary Education, Delhi
2. Regional office, Central Board of Secondary Education, Panchkula, (Haryana)
3. Regional office, Central Board of Secondary Education, Allahabad (UP)
4. Regional office, Central Board of Secondary Education, Ajmer (Rajasthan)

[No. 11011-1/2010-O.L.U.]

Dr. ANITA BHATNAGAR JAIN, Jt. Secy.

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

(स्वास्थ्य एवं परिवार कल्याण विभाग)

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2039.—भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, भारतीय चिकित्सा परिषद से परामर्श करके, संबद्ध विश्वविद्यालयों के नाम में परिवर्तन के कारण उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है नामतः

उक्त अनुसूची में—

(क) मान्यताप्राप्त चिकित्सा अर्हता [इसके बाद कालम (2) के रूप में निर्दिष्ट] के अंतर्गत "छत्रपति साहुजी महाराज चिकित्सा महाविद्यालय, राजस्थान" के प्रति पंजीकरण के लिए मौखिक रूप [इसके बाद कालम (3) के रूप में निर्दिष्ट] शैक्षिक के अंतर्गत अंतिम प्रविष्टि एवं प्रवेश संबंधित प्रविष्टि के बाद निम्नलिखित को अंतर्विष्ट किया जाये, यथा:-

(2)	(3)
डिप्लोमा इन एनेस्थीसिया	डीए
डिप्लोमा इन ओटो-राइनो-लॉरिंगोलॉजी	डीआरएल
डॉक्टर ऑफ मेडिसिन (एनेस्थीसियोलॉजी)	एमडी (एनेस्थीसियोलॉजी)
डॉक्टर ऑफ मेडिसिन (जनरल मेडिसिन)	एमडी (जनरल मेडिसिन)
डॉक्टर ऑफ मेडिसिन (पैडियाट्रिक्स)	एमडी (पैडियाट्रिक्स)
डॉक्टर ऑफ मेडिसिन (पेथोलॉजी)	एमडी (पेथोलॉजी)
डॉक्टर ऑफ मेडिसिन (फार्माकोलॉजी)	एमडी (फार्माकोलॉजी)
डॉक्टर ऑफ मेडिसिन (फिजियोलॉजी)	एमडी (फिजियोलॉजी)
डॉक्टर ऑफ मेडिसिन (सोशल एंड प्रीवेंटिव मेडिसिन/कम्युनिटी मेडिसिन)	एमडी (सोशल एंड प्रीवेंटिव मेडिसिन/कम्युनिटी मेडिसिन)
डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (एनाटॉमी)	एमडी/एमएस (एनाटॉमी)
डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (ओब्स्टेट्रिक्स एंड गायनेकोलॉजी)	एमडी/एमएस (ओब्स्टेट्रिक्स एंड गायनेकोलॉजी)
डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (ऑर्थोपेडिक्स)	एमडी/एमएस (ऑर्थोपेडिक्स)
मास्टर ऑफ सर्जरी (ईएनटी)	एमएस (ईएनटी)
मास्टर ऑफ सर्जरी (जनरल सर्जरी)	एमएस (जनरल सर्जरी)
मास्टर ऑफ सर्जरी (ओर्थोपेडिक्स)	एमएस (ओर्थोपेडिक्स)

शैक्षिक सत्र 2008-09 से मोतीलाल नेहरू मेडिकल कालेज, इलाहाबाद, उत्तर प्रदेश में प्रशिक्षित किए जा रहे छात्रों के संबंध में "छत्रपति साहुजी महाराज मेडिकल विश्वविद्यालय" द्वारा प्रदान की गई चिकित्सा अर्हता मान्यताप्राप्त होगी।

[सं. यू.-12012/162/2010-एमई(पी.-11)]

अनिता त्रिपाठी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 27th July, 2010

S. O. 2039.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical

Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change in name of affiliating University namely :—

In the said First Schedule against “Chhatrapati Shahuji Maharaj Medical University, Lucknow” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
“Diploma in Anaesthesia”	DA
“Diploma in Oto-Rhino-Laryngology”	DLO
“Doctor of Medicine (Anaesthesiology)”	MD(Anaesthesiology)
“Doctor of Medicine (General Medicine)”	MD (General Medicine)
“Doctor of Medicine (Paediatrics)”	MD (Paediatrics)
“Doctor of Medicine (Pathology)”	MD (Pathology)
“Doctor of Medicine (Pharmacology)”	MD (Pharmacology)
“Doctor of Medicine (Physiology)”	MD (Physiology)
“Doctor of Medicine (Social & Preventive Medicine/Community Medicine)”	MD SPM/Community Medicine)
“Doctor of Medicine (Master of Surgery (Anatomy))”	MD/MS (Anatomy)
“Doctor of Medicine/Master of Surgery (Obstetrics & Gynaecology)”	MD/MS (Obstetrics & Gynaecology)
“Doctor of Medicine /Master of Surgery (Ophthalmology)”	MD/MS (Ophthalmology)
“Master of Surgery (ENT)”	MS (ENT)
“Master of Surgery (General Surgery)”	MS (General Surgery)
“Master of Surgery (Orthopaedics)”	MS (Orthopaedics)

(These shall be recognised medical qualification when granted by “Chhatrapati Shahuji Maharaj Medical University, Lucknow” in respect of students being trained at Moti Lal Nehru Medical College, Allahabad, Uttar Pradesh from the academic session 2008-09).

[No. U. 12012/162/2010-ME(P. II)]

ANITA TRIPATHI, Under Secy.

CORRIGENDUM

New Delhi, the 9th August, 2010

S.O. 2040.—In continuation to this Department's Notification No.U. 12012/25/2009-ME(P.II) Vol.I dated 27-7-2009, and in exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the Said Act, namely:—

In the said Schedule—

“against “Mahatma Gandhi University, Kottayam”, under the heading ‘Abbreviation for Registration’ (column 3), the DM(Nephrology) qualification shall be a recognised medical qualification when granted by Mahatma Gandhi University, Kottayam in respect of students being trained at Govt. Medical College, Kottayam, Kerala on or after January, 1998 instead of March, 2007”.

[No. U.12012/25/2009-ME(P-II) Vol.I]

ANITA TRIPATHI, Under Secy.

रसायन एवं उर्वरक मंत्रालय

(औषध निर्माण विभाग)

नई दिल्ली, 20 जुलाई, 2010

का.आ. 2041.—केंद्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथासंशोधित, 1987) के नियम 10 के उपनियम (4) के अनुसरण में औषध निर्माण विभाग, रसायन एवं उर्वरक मंत्रालय, को जिसके 80% कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-123011/2/2010-हिन्दी]

अरुण झा, संयुक्त सचिव

MINISTRY OF CHEMICALS AND FERTILIZERS

(Department of Pharmaceuticals)

New Delhi, the 20th July, 2010

S. O. 2041.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976 (as amended, 1987) the Central Government hereby notifies the Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers, whereof 80% of the staff have acquired the working knowledge of Hindi.

[No. E-23011/2/2010-Hindi]

ARUN JHA, Jt. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 20 जुलाई, 2010

का.आ. 2042.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संशोधित भारतीय मानक (कों) की संख्या वर्ष संख्या और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)
1. आईएस 3110 : 1982 चाँदी का वर्क-विशिष्ट	संशोधन संख्या 1 जून, 2010	जून, 2010
2. आईएस 15766 (भाग 1) : 2007 पालिश हीरों की ग्रेडिंग भाग 1 वर्गीकरण	संशोधन संख्या 1 जून, 2010	जून, 2010
3. आईएस 15766 (भाग 2) : 2007 पालिश हीरों की ग्रेडिंग भाग 2 परीक्षण पद्धतियाँ	संशोधन संख्या 1 जून, 2010	जून, 2010

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 10/टी-58 एवं 73]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 20th July, 2010

S.O. 2042.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and Title of the standards(s)	No. & year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3110 : 1982—Specification for silver leaf (first revision)	Amendment No. 1 June, 2010	June, 2010
2.	IS 15766 (Part 1) : 2007—Grading of Polished Diamonds - Part 1 Classification	Amendment No. 1 June, 2010	June, 2010
3.	IS 15766 (Part 2) : 2007—Grading of Polished Diamonds - Part 2 Test Method	Amendment No. 1 June, 2010	June, 2010

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch

Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MTD 10/T-58&73]

P. GHOSH, Scientist 'F' & Head (Met Engg)

नई दिल्ली, 26 जुलाई, 2010

का.आ. 2043.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानकों में संशोधन किया गया है :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधनों की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	6932 (भाग 7) : 1973	4, जुलाई 2010	31 जुलाई, 2010
2.	6932 (भाग 9) : 1973	1, जुलाई 2010	31 जुलाई, 2010
3.	6932 (भाग 11) : 1973	1, जुलाई 2010	31 जुलाई, 2010

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/राजपत्र]

ए. क. सैनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 26th July, 2010

S.O. 2043.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. & year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	6932 (Part 7) : 1973	4, July 2010	31 July, 2010
2.	6932 (Part 9) : 1973	1, July 2010	31 July, 2010
3.	6932 (Part 11) : 1973	1, July 2010	31 July, 2010

Copies of the amendment are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Tairuvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 4 अगस्त, 2010

क्र.आ. 2044. — भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसारण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संशोधित भारतीय मानक की संख्या और वर्ष संख्या	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)
1. आईएस 3224 : 2002 द्रवित पेट्रोलियम गैस (एलपीजी) सिलिंडरों को छोड़कर संपीडित गैस सिलिंडरों के लिए वाल्व फिटिंग-विशिष्ट (तीसरा पुनरीक्षण)	संशोधन नं. 2 जनवरी, 2009	01 अगस्त, 2010
2. आईएस 11592 : 2000 पट्टा वाहकों का चयन और डिजाइन - रीति संहिता (पहला पुनरीक्षण)	संशोधन नं. 1 जुलाई, 2010	31 जुलाई, 2010
3. आईएस 13429 (भाग 3) : 2000 सौर कुकर - बॉक्स राइप-विशिष्ट भाग 3 परीक्षण पद्धति (पहला पुनरीक्षण)	संशोधन नं. 2 जून, 2010	30 जून, 2010

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, रायपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : एम.ई.डी./जी-2 : 1]

सी. के. वेदा, वैज्ञानिक 'एफ' एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 4th August, 2010

S.O. 2044. —In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. & year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3224 : 2002—Valve fittings for compressed gas cylinders excluding liquefied petroleum gas (LPG) cylinders— Specification (Third Revision)	Amendment No. 2 January, 2009	01 August, 2010
2.	IS 11592 : 2000—Selection and design of belt conveyers—Code of Practice (First Revision)	Amendment No. 1 July, 2010	31 July, 2010
3.	IS 13429 (Part 3) : 2000—Solar cooker - Box type Specification Part 3 Test Method (First Revision)	Amendment No. 2 June, 2010	30 June, 2010

Copy of this standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch

Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Calcutta, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Tiruvananthapuram.

[Ref: MED/G-2:1]

C. K. VEDA, Scientist 'F' & Head (Mechanical Engg.)

नई दिल्ली, 4 अगस्त, 2010

का.आ. 2045.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गये हैं :-

अनुसूची

क्रम संख्या और शीर्षक	संशोधित भारतीय मानक (कों) की संख्या वर्ष	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस/आईएसओ 2017-2 : 2007 यांत्रिक कंपन और प्रधात-प्रति स्कंदी आरोपण पद्धतियाँ भाग 2 रेलवे तंत्र के साथ जुड़े कंपन विलग्नक के अनुप्रयोग के लिए तकनीकी जानकारी का आदान-प्रदान	आईएस 14259 : 1995/आईएसओ 2017 : 1982 कंपन और प्रधात-विलग्नक-निर्दिष्ट लक्षणों की प्रक्रिया	28 फरवरी, 2010
2.	आईएस/आईएसओ 14963 : 2003 यांत्रिक कंपन और प्रधात-पुलों और वायाडक्ट पर गत्यात्मक परीक्षण और जांच की मार्गदर्शिका	—	28 फरवरी, 2010

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमईडी/जी-2:1]

सी. के. वेदा, वैज्ञानिक 'एफ' एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 4th August, 2010

S.O. 2045.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS/ISO 2017-2 : 2007 Mechanical Vibration and shock—Resilient mounting systems Part 2 Technical information to be exchanged for the application of vibration isolation associated with railway systems	IS 14259 : 1995/ISO 2017 : 1982 Vibration and shock—Isolators—Procedures for specifying characteristics	28 February, 2010
2.	IS/ISO 14963 : 2003 Mechanical Vibration and shock—Guidelines for dynamic tests and investigations on bridges and viaducts	—	28 February, 2010

Copy of these standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Tiruvananthapuram.

[Ref: MED/G-2:1]

C. K. VEDA, Scientist 'F' & Head (Mechanical Engg.)

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2046.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक में संशोधन किया गया है :—

अनुसूची

क्रम संशोधित भारतीय मानक की संख्या और वर्ष संख्या	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)
1. आई एस 2556 (भाग 2) : 2004	2, जुलाई 2010	2 अगस्त, 2010

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/राजपत्र]

ए. के. सैनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 3rd August, 2010

S.O. 2046.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies the amendment to the Indian Standards, particulars of which is given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. & year of the amendment	Date from which the amendment shall have effect
(i)	(2)	(3)	(4)
1.	IS 2556 (Part 2) : 2004	2, July 2010	2 August, 2010

Copy of the amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 3 अगस्त, 2010

का.आ. 2047.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गये हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3951 (भाग 1) : 2009 फर्श व छतों के लिए खोखली मिट्टी की टाइलें - विशिष्टि : भाग 1 फिलर प्रकार (दूसरा पुनरीक्षण)	आई एस 3951 (भाग 1) : 1975	31 दिसम्बर 2009

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/राजपत्र]

ए. के. सैनी, वैज्ञानिक 'एफ' एवं प्रमुख (सिविल इंजीनियरी)

New Delhi, the 3rd August, 2010

S.O. 2047.—In pursuance of clause (b) of sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 3951 (Part 1) : 2009 Hollow Clay Tiles for Floors and Roofs - Specification : Part 1 FillerType (Second Revision)	IS 3951 (Part 1) : 1975	31 December 2009

Copy of this standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

नई दिल्ली, 4 अगस्त, 2010

का. आ. 2048.— भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम 5 के उपनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि वे लाइसेंस जिनके विवरण नीचे अनुसूची में दिए गए हैं को उनके आगे दर्शाए गई तिथि से स्थापित किया गया है :—

अनुसूची

क्र.सं. (1)	लाइसेंस (2)	लाइसेंसधारी का नाम एवं पता (3)	उत्पाद (4)	आई एस नं./भाग/ संस्करण वर्ष (5)	रद्द करने की तिथि (6)
1.	5369275	मैसर्स मा तारा फाउन्डरी, 35/1/4, जे. रोड, बेलगाछिया, हावड़ा- 711105 पश्चिम बंगाल	एसबेस्टस सीमेंट दाब पाइप के साथ प्रयुक्त ढक्कन लोहे के अलग हो सकने वाले जोड़	8794 : 1988	26-6-2009
2.	5437165	मैसर्स अलकानन्दा स्पन्ज आयरन प्राइवेट लिमिटेड, बामुनारा इंडस्ट्रियल एरिया दुर्गापुर, जिला-बर्धमान-713 212 पश्चिम बंगाल	कंक्रीट प्रबलन के लिए उच्च सामर्थ्ययुक्त विरूपित इस्पात के सरिए एवं तार	1786 : 2008	30-7-2009
3.	5442865	मैसर्स श्याम स्टील इंडस्ट्रीज लिमिटेड, 7/2/1, गोपाल घोष लेन, सालकिया, जिला-हावड़ा-711106 पश्चिम बंगाल	कंक्रीट प्रबलन के लिए उच्च सामर्थ्ययुक्त विरूपित इस्पात के सरिए एवं तार	1786 : 2008	13-1-2010

[सी. सी. एस. नं. 13/13/1]

सी. के. महेश्वरी, वैज्ञानिक (क) (प्रमाणन)

New Delhi, the 4th August, 2010

S.O. 2048.—In pursuance of suo-regulation (6) of the regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given in the following Schedule have been cancelled with effect from the date indicated against each :

SCHEDULE

Sl. No.	Licence No.	Name and address (factory) of the Party	Product	IS No.	Date of cancellation
(1)	(2)	(3)	(4)	(5)	(6)
1.	5369275	M/s. Ma Tara Foundry, 35/1/4, J. Road Belgachia, Howrah-711105 W. B.	Cast Iron detachable joints for use with asbestos cement pressure pipes	8794 : 1988	26-06-09
2.	5437165	M/s. Alakananda Sponge-Iron Pvt. Ltd., Bamunara Industrial Area, Durgapur, Dist. Burdwan-713 212 W. B.	High Strength deformed steel bars and wires for concrete reinforcement	1786 : 2008	30-07-09
3.	5442865	M/s. Shyam Steel Industries- Limited, 7/2/1, Gopal Ghosh Lane, Saikia, Dist. Howrah-711106 W. B.	High Strength deformed steel bars and wires for concrete reinforcement	1786 : 2008	13-1-2010

[No. CMD/13/13]

C. K. MAHESHWARI, Scientist "G" (Certification)

नई दिल्ली, 9 अगस्त, 2010

का. आ. 4049.— भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के नियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :-

अनुसूची

क्रम सं.	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग	अनु वर्ष
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) (9)
01.	6982704	30-10-2009	मंगल्या ज्वेल सिटी ज्वेल जंगधन, के.के. रोड, वणपेरियार, इडुक्की, केरल-685533	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	- 1999
02.	6982693	31-10-2009	पी.ए.के. गोल्ड गालरी सेन्ट्रल बाजार, वन्नूर पी.ओ., मलप्पुरम, केरल-679328	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	- 1999
03.	6982805	31-10-2009	कूटिविलयिल ज्वेलर्स, कूटिविलयिल बिल्डिंग्स, के.पी. रोड, चारुमूड, मावेलिककाय, आलप्पुणा केरल-698505	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	- 1999
04.	6982906	31-10-2009	तोर्टियन ज्वेलर्स ओल्ड रोड, पट्टिककाड, तृशूर, केरल-680652	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	- 1999
05.	6983796	06-11-2009	रेजी अग्रो पोंडक्टस मिनी इन्स्ट्रियल एस्टेट, वेन्डुताड, पिनराइ, केरल-670741	फसल संरक्षण यंत्र-राँकर छिड़काव यंत्र-	आई एस 3062	-	- 1995
06.	6983807	06-11-2009	रेजी अग्रो पोंडक्टस मिनी इन्स्ट्रियल एस्टेट, वेन्डुताड, पिनराइ, केरल-670741	फसल संरक्षण यंत्र- हस्त चालित संपीडन नैपसैक छिड़काव यंत्र-	आई एस 1970	-	- 1995
07.	6986005	16-11-2009	अइनु माच एंड पैलवुड्स इग्निगोल पी.ओ., पेरुम्बावूर, एणाकुलम, केरल-683548	सामान्य प्रयोजनों के लिए फ्लैवुड	आई एस 303	-	- 1989
08.	6986611	16-11-2009	शबरीजलम पेय जल यूनिट, शबरीजलम, भूषियक्कलम, पी.वी.एम. 1/397, एफ, कुरुनोड पी.ओ. निलम्पूर वया, मलप्पुरम, केरल	पैकेजबंद पेय जल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	आई एस 14543	-	- 2004
09.	6986712	16-11-2009	एम.टी. गोल्डलान्ट, 7/97, टी, मेडन रोड, इडक्करा पी.ओ., निलम्पूर वया, मलप्पुरम, केरल	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	- 1999
10.	6986813	16-11-2009	तेजस जेवेलरी, के.के. रोड, अम्पाडी बिल्डिंग, पी.ओ. पावराट्टी, तृशूर, केरल-680507	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	- 1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
11.	6986914	16-11-2009	मुत्तावलत्तिल ज्वेलरी, पी.बी. रोड, ईराट्टुपेट्टा पी.ओ., कोट्टायम, केरल	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
12.	6987007	16-11-2009	एन. कुजियामन ज्वेलरी, मैन रोड, तलशेरी, कण्णूर, केरल-670101	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
13.	6987108	16-11-2009	न्यू गोल्ड मूक, कै.पी. 2/142, 143, 144, 145, 146, फेस फालर, वयनाड रोड, कुट्टिय्याडी, कोपिकक्कोड, केरल-685533	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
14.	6987209	16-11-2009	कोयिलाट्टु ज्वेलरी, एसबीपी 6/424, 425, मैन रोड, मुल्लान बचेरी, वयनाड, केरल-673592	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
15.	6987310	16-11-2009	कलत्तिल ज्वेलर्स, नियर बस स्टान्ड, चक्करक्कल, पी.ओ. मौवानचेरी, कण्णूर, केरल-670613	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
16.	6987411	16-11-2009	मेट्रो गोल्ड, 13/138, कम्मत लेन, पालयम, पी.ओ. कल्लुई, कोपिकक्कोड, केरल-673003	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
17.	6993507	24-11-2009	सनेन इस्पात एन्ड एनर्जी लिमिटेड, करियनकोड, कोट्टई, पालक्काड, केरल-678572	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कार्बन टलवॉ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 2830			1992
18.	6990295	25-11-2009	गोल्ड पालस फायन ज्वेलरी, एम.सी. रोड, कूत्ताट्टुकुलम पी.ओ., एर्णाकुलम, केरल-686662 कोपिकक्कोड, केरल 685533	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
19.	6990396	25-11-2009	अजय एन्ड कंपनी, डोर नं. 12/227/1, गोसाई कुन्नु, कुरियचिरा, वृशूर, केरल-680006	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-		1999
20.	6993204	03-12-2009	नम्बियारपम्मिल टी जय ज्वेलर्स, पल्लिताम, मुलनतुरुत्ति पी.ओ., एर्णाकुलम, केरल-682314	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-		1999
21.	6993608	03-12-2009	गोल्डन ज्वेलर्स पीषक्कापल्ली, मूवाट्टुपुथा, एर्णाकुलम, केरल-686674	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
22.	6993406	03-12-2009	पपेमियर अलॉय्स, निद्रा कजिक्कोड, पालक्काड, केरल-678621	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कार्वन ढलवाँ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 2850	-	-	1992
23.	6993709	03-12-2009	परक्काट ज्वेलरी रोजन्ट प्लाजा भा.एम.एस. कालेज रोड, कोट्टायम, केरल-686001	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
24.	6993810	07-12-2009	रबिया ज्वेलरी, बी.पी. 3/922, कुट्टिप्पुरम रोड, वालानचेरी पी.ओ., मलप्पुरम, केरल-676552	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
25.	6994408	07-12-2009	चिन्ना ज्वेलरी, कंचेरी जंगमन, अम्बलप्पुषा, पी.ओ., आलप्पुषा, केरल-688561	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
26.	6994509	07-12-2009	अलंकार ज्वेलरी, 1/534, मेईन रोड, कुट्टिप्पुरम, मलप्पुरम, केरल-679571	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 417	-	-	1999
27.	6994711	07-12-2009	ऐशर्या फाशन ज्वेलरी, तार्थविलाकम कॉम्ब्लक्स, कल्लिक्काड, मैलक्करा पी.ओ., काट्टाक्कड़ा पी.ओ., तिरुवनंत- पुरम, केरल-695572	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
28.	6994812	07-12-2009	विरक्कोटु फाशन ज्वेलरी, हाईरेन्ज जंगमन, कोतमंगलम, एर्णाकुलम, केरल-686691	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
29.	6993305	07-12-2009	के.पी. चाक्को एन्ड संगणस ज्वेलरी, काक्कानाट्टु बिल्डिंग, मार्केट रोड, तोडुपुषा, इडुक्की, केरल-685584	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
30.	6993103	07-12-2009	पी.एन. मणी एन्ड संगणस, गोल्ड कल्कयन्स, हाईरेन्ज जंगमन, कोतमंगलम, एर्णाकुलम, केरल	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
31.	6996816	14-12-2009	एम.ए. फाशन, ज्वेलरी, वालयाल चेद्टी स्ट्रीट, टी.सी. 38/1258, चालै बजार, तिरुवनंतपुरम, केरल-695036	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
32.	6996917	14-12-2009	पूजा ज्वेलरी, टी.सी. 32/2744, पर्यंचालै, पर्यंचालै, चालै पी.ओ., तिरुवनंतपुरम, केरल-695036	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
33.	6997010	14-12-2009	तेक्कुपुरतु काषन ज्वेलरी, चिट्टार, चिट्टार पी.ओ., पत्तनमतिट्टा, केरल-689663	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
34.	6997111	14-12-2009	लबन्तिक्कल ज्वेलरी, 4/832सी, मेईन रोड, बालुशोरी, कोथिक्कोड, केरल-673613	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
35.	6997212	17-12-2009	पी.पी. स्टील्स (केरल), पैवट, लिमिटड, 7/864, 865 एफ नं. 405/2, निडा, मेनोनपाय रोड, कांजिकोड, मालक्काड, केरल-678621	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कार्बन ढलवाँ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 1417	-	-	1999
36.	3301332	23-12-2009	जे.के.जे. इन्डस्ट्रीस, सेट नं. 1482/3/2, चिनप्पाडी, कोतमंगलम, एणाकुलम, केरल-686673	पैकेजबंद पेय जल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	आई एस 14543	-	-	2004
37.	3302475	29-12-2009	न्यूपूथिमा ज्वेलरी, सरकार अस्पताल जगषन, वेस्ट नडा, कोड्डुल्लूर, तृशूर, केरल-680664	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
38.	3302334	30-12-2009	कोडिमूट्टिल ज्वेलर्स, के.पी. 12/388/बी9, न्यू एंजलयत थोप्पिंग कॉम्प्लेक्स, पारिपल्ली, पारिपल्ली पोस्ट, कोल्लम, केरल	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
39.	3302353	30-12-2009	पथ्याप्पिल्लोस ज्वेलरी, ओप. प्रैक्टिस एटान्ड, माला, तृशूर, केरल-680732	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
40.	3302356	30-12-2009	के.पी. वकी, एन्ड सॉणस, काक्कनाट ज्वेलर्स, 26/750, 751, ए. एम. रोड, कोतमंगलम, एणाकुलम, केरल-686691	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
41.	3306241	30-12-2009	टिस्कन गौल्स, प्रैक्टिस लिमिटड, प्लोट नं. 14-सी. कोचिन, स्पेशल इकनॉमिक सोन, काक्कनाड, कोचिन, एणाकुलम, केरल-682037	चीरा फाड़ी के लिए, खड़ के दस्ताने	आई एस 1417	-	-	1999
42.	3303942	01-01-2010	फातिमा ज्वेलरी, सीपी/4, 313 ई, बलियक्का, चिरयिनकीष, तिरुवनन्तपुरम, केरल-695304	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
43.	3314649	02-01-2010	अल मंचनाम ज्वेलर्स, मुल्लाम्बलम थोप्पिंग कॉम्प्लेक्स, कोडुवल्लो, कोथिक्कोड, केरल-673572	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
44.	3303235	05-01-2010	बेस्ट प्लास्ट पी.वी.सी. पाईप्स मेईन रोड, पारशेरी, कोकंड, पालक्काड, केरल-678631	पेय जल की पूर्ति के लिए असुघाटित पी.वी.सी. पाइप	आई एस 4985	-	-	2000
45.	3305441	08-01-2010	यु. एम. एन्गर्प्रसस, के.एम. नं. 15/334ए, वडुक्कोड, पी.ओ., कंगरप्पाडी, एर्णाकुलम, केरल-682021	पैकेजबंद पेय जल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	आई एस 14543	-	-	2004
46.	3308750	18-01-2010	गारनट गोल्ड पार्क प्रा.लि., 17/2275ए, साई बिल्डिंग, एम.एम. अली रोड, कोयिक्कोड, केरल-673001	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
47.	3308851	18-01-2010	वुड्ड लान्गट गोल्ड, ईपी/763 बी सी-, मेईन रोड, इडुक्करा, पी.ओ. निलम्बूर, मलप्पुरम, केरल	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
48.	3308952	18-01-2010	हरीश्री ज्वेलर्स, कोट्टिट्टयम, कोल्लम, केरल-691571	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
49.	3309449	20-01-2010	जीवके हाईजीनिक्स प्रा.लि. पी.बी. नं. 3, पुन्नायम, आशमणूर पी.ओ. पेरुम्बावूर, एर्णाकुलम, केरल-683549	पैकेजबंद पेय जल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	आई एस 14543	-	-	2004
50.	3312135	25-01-2010	मैसर्स राजेश ज्वेलर्स, एम.सी. रोड, पन्तलम, पत्तनमटिट्टा, केरल-689501	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
51.	3312842	25-01-2010	श्रीवल्लभ ज्वेलर्स, कोट्टिट्टयम, कोल्लम, केरल-691571	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
52.	3312943	25-01-2010	श्रीवल्लभ ज्वेलर्स, कल्लरकुट्टी रोड, अडिमाली पी.ओ. इडुक्की, केरल-685561	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
53.	3313036	25-01-2010	अरफा ज्वेलर्स, मार्केट रोड, पुतियतेरु, चिरक्कल, पी.ओ., कणादूर, केरल-670011	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
54.	3313137	25-01-2010	अच्चाकोट्टिल ज्वेलर्स, एम.वी.एम. मडपरम्पिल प्लाजा, कच्चेरितायम, एर्णाकुलम, केरल-686661	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
55.	3313238	25-01-2010	मलनाड गोल्ड, बी.पी. 4/822ए, पार्क कोर्णर, बालुशेरी, कोयिक्कोड, केरल-673612	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
56.	3313339	25-01-2010	लिल्सा गोल्ड, कोप्पम, पी.ओ. पुलशेरी, पालक्काड, केरल-679307	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
57.	3313440	25-01-2010	गिल्स्टन गोल्ड, कलंक्षन्स प्रा. लि., के. पी. 3 2561 से 2564, ओप. बोईस हाई स्कूल कन्ननगप्पली, कोल्लम, केरल-690518	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
58.	3315646	27-01-2010	कोयिन्को फीड्स प्रैवट लिमिटेड कोयान्को हौस, वेस्ट हिल पी.ओ., कोयिक्कोड, केरल-673005	पशु के लिए मिश्रित आहार	आई एस 2052	-	-	1979
59.	3315747	27-01-2010	कृष्णा स्टील, रोलिंग मिल्स, बिल्डिंग नं 7/1041, निडा, कजिकोवड, पालक्काड, केरल-678621	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कार्बन ढलवाँ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 2830	-	-	1992
60.	33144846	01-02-2010	सी.एच. ज्वेलरी मेईन रोड, चेम्माड, तिरूरंगाडी पी.ओ., मलप्पुरम, केरल-676306	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
61.	3314543	01-02-2010	जोस्को ज्वेलरी एम.ओ. रोड, तृशूर, केरल-680001	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
62.	33144745	01-02-2010	चानलव्यू ज्वेलर्स पंजायत न्यू, पोम्पिंग कॉम्बल्क्स, पारिपल्ली, कोल्लम, केरल-691574	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
63.	3319149	02-02-2010	गंगा प्रोडक्ट्स, सैंट नं. 15/10, बोलक नं. 29, वालयानचिरान्त पी.ओ., ऐरप्पुरम विल्लेज, एर्णाकुलम, केरल-683556	पैकेजबंद पेय जल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	आई एस 14543	-	-	2004
64.	3317448	04-02-2010	तृमूर्ती ज्वेलरी टी.सी. 18/551, मेईन रोड, कोयिलाण्डी, कोयिक्कोड, केरल-673002	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
65.	3318652	04-02-2010	मसकॉम स्टील (इण्डिया) प्रैवट लिमिटेड, 1/117-ई, इंडस्ट्रियल डवलप्मेन्ट एरिया, एरुम्पत्तला पी.ओ., आलुवा, एर्णाकुलम, केरल-683112	कंक्रीट प्रबलन के लिए उच्च शक्ति विरूपित इस्पात सरिए एवं तार	आई एस 1786	-	-	1985

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
66.	3317044	04-02-2010	स्वर्ण कमल ज्वलेर्स इण्डिया प्रै. लि., टी.सी. 17/417 वीटीओजे बेकर जगधन, मोडेण डायजोनिक सेंटर, कोट्टयम, केरल-686001	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
67.	3317246	04-02-2010	विन्स ज्वलेरी, माट्टुपेट्टी रोड, मूनार पी. ओ., इडुक्की, केरल-685 612	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
68.	3317347	04-02-2010	सूपर ज्वलेरी, रूम नं. एन पी. 9/386, वक्कयाड रोड, नडुवनूर, कोषिकोड, केरल-673614	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
69.	3316143	04-02-2010	ट्रावनकूर गोल्ड, इण्डिया प्रा.लि., टी.सी. 28/2222(6), ओप. बिग बजार, एम.जी. रोड, तिरुवनन्तपुरम, केरल-695 004	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
70.	3316244	04-02-2010	चिरियनकंडत्त ज्वलेरी, माट्टुपेट्टी रोड, मूनार पी.ओ., इडुक्की, केरल-685 612	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
71.	3316345	04-02-2010	शक्ति ज्वलेर्स मुल्लक्कल, आलुप्पुषा, केरल-688 011	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
72.	3316446	04-02-2010	बोर्बै पैल्वुड इन्गस्ट्रीस, पनिप्पा पी.ओ., कोतमंगलम, एर्णाकुलम, केरल-686 692	सामान्य प्रयोजनों के लिए प्लैवुड	आई एस 303	-	-	1989
73.	3316547	04-02-2010	शक्ति ज्वलेरी, नियर मुत्तुमारी अम्पन टेम्पिल, कैतमुक्कु जंगधन, पेट्टा पी.ओ., तिरुवनन्तपुरम, केरल-695 024	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
74.	3316648	04-02-2010	सना गोल्ड डी./नं. एक्स/490, नियर केनरा बैंक, नादापुरम रोड, पारेक्कडवु पी.ओ. काषिकोड, केरल-673 509	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
75.	3316749	04-02-2010	पंकज ज्वेलर्स पी.पी. रोड, पाला, कोट्टयम, केरल-686 575	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
76.	3316850	04-02-2010	कैरली ज्वलेरी वडुतला जंगधन, अरूकुट्टी, आलुप्पुषा, केरल-688 535	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
77.	3316951	04-02-2010	वी.पी. तोमस एंड सॉनस करुत्तेडत जुवेलरी, मेईन रोड तृप्पुणितुरा, एर्णाकुलम, केरल-682 301	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
78.	3317145	08-02-2010	पडिकला जुवेलरी, जी.सी.डी.ए.-घोपिंग कॉम्प्लेक्स, मरैनड्रैव, एर्णाकुलम, केरल-682 031	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
79.	3318753	08-02-2010	अटलस गोल्ड 7/962, 963, ऑप. केंनरा बैंक, पोन्नानी, पो.ओ. मल्लपुरम, केरल-	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
80.	3320235	15-02-2010	स्पीसिंग प्लैटवोर्ड्स, कन्ननतरा, आलप्पा पी.ओ., पेरुम्बावूर एर्णाकुलम, केरल-683 553	सामान्य प्रयोजनों के लिए प्लैटवुड	आई एम 303			1989
81.	3321338	16-02-2010	वाषेमडुक्किल ज्वेलर्स, बिल्डिंग नं. 703/6, मेईन रोड, तलयोलपरम्बु, कोट्टयम, केरल-686 605	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
82.	3321439	16-02-2010	मुनवरा ज्वेलर्स, टी.सी. 12/823ए, मुनवरा बिल्डिंग, मणारक्काड, पलक्काड, केरल-	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
83.	3321540	16-02-2010	सूर्या ज्वेलर्स, पूर्वातूर बिल्डिंग, चेंगन्नूर पी.ओ., आलप्पुषा, केरल-689 121	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
84.	3321641	16-02-2010	इन्गियन ज्वेलरी, सादिक मन्सिल, ओयूर पी.ओ., कोल्लम, केरल 691 510	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
85.	3321843	16-02-2010	कल्याण ज्वेलर्स, इन्गिया प्रै. लि., कालिक्कट रोड, पेरिन्तलमन्णा, मलप्पुरम केरल 679 322	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
86.	3321944	16-02-2010	कल्याण ज्वेलर्स, इन्गिया प्रै. लि., वार्ड नं. 27, बी. नं. 55/1, रौन्ट नोर्ट, वृशूर, केरल-680 001	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
87.	3322037	16-02-2010	कल्याण ज्वेलर्स, कोल्लम एन्ड ईरोड, वार्ड नं. 18, बी. नं. एमसी 17/3749, 3750, 3751, सैन टोवर, बीच रोड, कोल्लम केरल	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एम 1417			1999
88.	3323241	17-02-2010	फोनिकस एचान्सीम 7/303, कल्लोक्करन, बिल्डिंग, तुगवूर विल्लेज, किडन्नूर पी.ओ. एर्णाकुलम, केरल-683572	पैकेजबंद पेय जल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	आई एम 1417			1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
89.	3323242	17-02-2010	प्लैकोन लामिनेटेस, कुट्टिप्पाडम, आलप्पा. पी.ओ., पेरुम्बावूर, एर्णाकुलम, केरल-683553	सामान्य प्रयोजनों के लिए प्लैवुड	आई एस 303	-	-	1989
90.	3330440	17-02-2010	षेरो प्लैवुड्स डोर नं. एपी 7 585एम, इनेणस्ट्रियल डेवलपमेन्ट प्लोट, अन्दूर, परशिनीक्कडवु. पी.ओ., कण्णूर, केरल-670563	सामान्य प्रयोजनों के लिए प्लैवुड	आई एस 303	-	-	1989
91.	3333345	17-02-2010	कुट्टिप्पुलन अयेण एन्ड स्टील कंपनी (प्रा.) लिमिटेड, 7/1018, किन्फ्रा वैस पार्क, मेनोनपारा रोड, कजिक्कोड, पालक्काड, केरल-678621	सामान्य संरचना इस्पात में पुनर्वैल्लन के लिए काबन ढलवाँ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 2830	-	-	1992
92.	3323948	23-02-2010	कल्याण ज्वलेर्स, इन्गिया प्रा. लि., मावूर रोड, कोषिक्कोड, केरल-	स्वर्ण तथा स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
93.	3324041	23-02-2010	बेन्नीस ज्वलेरी, बेन्नीस टौवर, बस स्टान्ड जगपन, राजक्काड, इडुक्की, केरल-685566	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
94.	3324142	23-02-2010	स्वर्ण महल, मेलतिल बिल्डिंग, चुल्लियोड रोड, पूक्कोट्टुप्पाडम पी.ओ., मलप्पुरम, केरल-679332	स्वर्ण एवं स्वर्ण मिश्रधातुओं के आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
95.	3324647	23-02-2010	ओल्ड पवीस ज्वेलरी, कं.आर. विजयन-मेम्मोरियल, षोप्पिंग कोम्प्लेक्स, ओल्ड के.एस. आर.टी.सी. स्टान्ड, नोर्त परवूर, एर्णाकुलम, केरल-683513	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
96.	3324748	23-02-2010	कल्याण ज्वलेर्स, इन्गिया (प्रा.) लि., कण्णत कोम्प्लेक्स, जी.बी. रोड, पालक्काड, केरल-678001	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
97.	3325548	25-02-2010	पालिमार गोल्ड, पालिमार बिल्डिंग, कालेज रोड, चंगनाशेरी, कोट्टायम, केरल-686101	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
98.	3325649	25-02-2010	तडतिल ज्वलेरी, नियर प्रैक्ट बस स्टान्ड, इराट्टुपेट्टा पी.ओ., कोट्टायम, केरल 686121	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
99.	3325750	25-02-2010	स्वर्णगिरी फाफन ज्वलेरी, नं. 7/385, 386, टी.बी. रोड, पेराम्बा, कोषिकोड, केरल-673525	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
100.	3325851	25-02-2010	पणिक्कशरी ज्वलेर्स, मुक्ककड़ा, कुन्गरा, कोल्लम, केरल-691501	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
101.	3325952	25-02-2010	पद्मा ज्वलेर्स, मय्यनाडु रोड, कोट्टियम पी.ओ., कोल्लम, केरल-691571	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
102.	3326247	26-02-2010	मार्स प्लैवुड इन्डस्ट्रीस (प्रा.) लिमिटेड डोर नं. एमजीपी 1/133, 1/129ए, 1/129, 1/132बी, कुञ्जतूर पी.ओ., तलप्पाडी, कासरगोड, केरल 671323	सामान्य प्रयोजनों के लिए प्लैवुड	आई एस 303			1989
103.	3326348	26-02-2010	मार्स प्लैवुड इन्डस्ट्रीस (प्रा.) लिमिटेड, डोर नं. एमजीपी, 1/133, 1/129ए, 1/129, 1/132बी, कुञ्जतूर पी.ओ., तलप्पाडी, कासरगोड, केरल-671323	ब्लोक बोर्डस	आई एस 1659	-	-	2004
104.	33266449	26-02-2010	मार्स प्लैवुड इन्डस्ट्रीस (प्रा.) लिमिटेड, डोर नं. एमजीपी, 1/133, 1/129ए, 1/129, 1/132बी, कुञ्जतूर पी.ओ., तलप्पाडी, कासरगोड, केरल-671323	मैन प्लैवुड	आई एस 710			1976
105.	3326550	01-03-2010	मार्स प्लैवुड इन्डस्ट्रीस (प्रा.) लिमिटेड, डोर नं. एमजीपी, 1/133, 1/129ए, 1/129, 1/132बी, कुञ्जतूर पी.ओ., तलप्पाडी, कासरगोड, केरल-671323	कंक्रीट के राटरिंग कार्य के लिए प्लैवुड	आई एस 4990			1993
106.	3333648	02-03-2010	पेरियार वुड प्रोडक्ट्स तुरुत्ती रोड, चुडम्म, पाप्पिनिशेरी, कण्णूर, केरल-670561	ब्लोक बोर्डस	आई एस 1659			2004
107.	3330743	02-03-2010	चिन्नन सणंस ज्वलेर्स, नं. 9/803, चेरप्पुलशेरी रोड, कोण्ड, पालक्कड, केरल-678631	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
108.	3330844	02-03-2010	चिन्नन सणंस ज्वलेर्स, 15/63, चिट्टूर रोड, कोयिन्ना- पारा, पालक्कड केरल-678555	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
109.	3331038	09-03-2010	पुलिमूट्टिल ज्वलेरी, करवान्टे कुर्सी, पिरवम, एर्णाकुलम, केरल 686664	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999
110.	3331139	09-03-2010	विदायत्तिल ज्वलेर्स, चिरक्काक्कम ओप. चर्च, नगर चर्च, वारापुथा. पी.ओ., एर्णाकुलम, केरल 683517	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417			1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
111.	3331240	09-03-2010	सोप्ता फाशन ज्वेलरी, मिचेल जंगमन, मावेलिककरा, आलप्पुषा, केरल-690101	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
112.	3331341	10-03-2010	आनन्दा ज्वेलरी, पुलमण जंगमन, कोट्टारक्करा पी.ओ., कोल्लम, केरल-691506	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
113.	3331745	10-03-2010	वेल्ड वैड अयेण एन्ड स्टीलस (प्रा.) लिमिटेड, 8/862, वैस पार्क पेट्रोनेट रोड, निडा, कौजिकोड, पालक्काड, केरल-678621	सामान्य संरचना कार्यों के लिए इस्पात	आई एस 2062	-	-	2006
114.	3332040	10-03-2010	फाशन ज्वेलरी, पुनलूर रोड, अन्जल, कोल्लम, केरल ।	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
115.	3334044	10-03-2010	तामरप्पल्ली रब्वर कंपनी लिमिटेड, कालिकट एस्टेट, तेक्कुमकुट्टी, पी.ओ. अल्ली मुक्कम, कोपिकोड, केरल-673602	अमोनिया में परिरक्षित प्राकृतिक रबड़ लैटैव सांद्र की विशिष्टि ।	आई एस 5430	-	-	1981
116.	3334751	16-03-2010	पेरो प्लैवुड्स डोर नं. एपी 8/585 एम इन्डस्ट्रियल डेवलपमेन्ट प्लोट, अन्डूर, परशिनिकडवु पी.ओ., कण्णूर, केरल-671323	कंक्रीट के शटरिंग कार्य के लिए प्लाईवुड	आई एस 4990	-	-	1993
117.	3333850	16-03-2010	कण्णत ज्वेलरी, कण्णत हाँस, वेन्गीताडगु पी.ओ., तृशशूर, केरल-680510	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
118.	3333951	16-03-2010	वेल्ड वैड अयेण एन्ड स्टील (प्राइवेट) लिमिटेड, 8/862, वैस पार्क, पेट्रोनेट रोड, निडा, कौजिकोड, पालक्काड, केरल-678621	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कार्बन ढलवाँ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 2830	-	-	1992
119.	3333749	16-03-2010	रिषाद ज्वेलरी, डिलषाद मन्सिल, कण्णल्लूर पी.ओ., कोल्लम, केरल-691576 ।	स्वर्ण एवं स्वर्ण मिश्रधातुएं आभूषण/शिल्पकारी-शुद्धता एवं मुहरांकन	आई एस 1417	-	-	1999
120.	3336452	23-03-2010	मण्णरक्काड स्टीलस (प्राइवेट) लिमिटेड, 8/960, वैस पार्क, मेनोनपारा रोड, कौजिकोड, पालक्काड, केरल-678621	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कार्बन ढलवाँ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 2830	-	-	1992
121.	3336553	23-03-2010	मास्ताम स्टील इन्डस्ट्रीस प्राइवेट लिमिटेड, 8/885, निडा, कौजिकोड पोस्ट, पालक्काड, केरल-678621	सामान्य संरचना इस्पात में पुनर्वेल्लन के लिए कार्बन ढलवाँ इस्पात बिलेट इंगट, बिलेट, ब्लूम और स्लैब	आई एस 2830	-	-	1992

New Delhi, the 9th August, 2010

S. O. 2049.—In pursuance of sub-regulation (2) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1968, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule :

SCHEDULE

Sl. No.	Licences No	Grant Date	Name & address of the Party	Title of the Standard	IS No.	Part	Sec	Year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	6982703	30-10-2009	Mangalya Jewel City Jewel Junction K. K. Road, Vandiperiyar Idukki, Kerala-685533	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
2.	6982603	31-10-2009	P.A.K. Gold Gallery Central Bazar, Wandoor (P. O.) Malappuram Kerala-679328	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
3.	6982805	31-10-2009	Kuttivilayil Jewellers Kuttivilayil Buildings K.P. Road, Charummood Mavelikkara Alappuzha Kerala-698505	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
4.	6982906	31-10-2009	Thottian Jewellers Old Road, Pattikad Thrissur, Kerala-680652	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
5.	6983706	6-11-2009	Reji Agro Products Mini Industrial Estate Venduttayi, Kannur, Pinarayi, Kerala-670741	Crop protection equipment- rocker sprayer-	IS 3062	-	-	1995
6.	6983807	6-11-2009	Reji Agro Products Mini Industrial Estate Venduttayi, Pinarayi Kannur, Kerala-670741	Crop protection equipment- hand-operated compression knapsack sprayer-	IS 1970	-	-	1985
7.	6986005	16-11-2009	Anju Match & Plywoods Iringole P. O., Perumbavoor Ernakulam, Kerala-683548	Plywood for general purposes	IS 303	-	-	1989
8.	6986611	16-11-2009	Sabarijalam Drinking Water Unit Sabarijalam, Moozhikal PVM 1/397F, Koruthode P. O. (VIA) Mondakkayam Idukki, Kerala-686510	Packaged drinking water (Other than packaged natural mineral water)	IS 14543	-	-	2004
9.	6986712	16-11-2009	M. T. Gold Land VII/97-T Main Road, Edakkara P. O. VIA Nilambur Malappura, Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking-	IS 1417	-	-	1999
10.	6986813	16-11-2009	Thejus Jewellery K. K. Road, Ambadi Building P.O. Pavaratty, Thrissur Kerala-680507	Gold and gold alloys, jewellery/artefacts- Fineness and marking -	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
11.	6986914	16-11-2009	Muthuthavalathil Jewellery P.B. Road, Erattupetta P. O. Kottayam, Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
12.	6987007	16-11-2009	N Kunhiraman Jewellery Main Road, Thalassery Kannur, Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
13.	6987108	16-11-2009	New Gold Souk K.P. II/142, 143, 144, 145, 146 1 Floor, Wayanad Road Kuttiadi, Kozhikode Kerala 673 508	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
14.	6987209	16-11-2009	Koyilattu Jewellery SBP VI/424, 425, Main Road, Sulthan Batheri, Wayanad Kerala-673592	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
15.	6987310	16-11-2009	Kalathil Jewellers Near Bus Stand Chakkarakkal P.O. Mowanchery Kannur, Kerala-673613	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
16.	6987411	16-11-2009	Metro Gold 13/188, Kammath Lane Palayam P. O. Kallai, Kozhikode, Kerala-673003	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
17.	6993507	24-11-2009	Southern Ispat & Energy Ltd. 1992Kriyankode Kottayi, Palakkad, Kerala-678572	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992
18.	6990295	25-11-2009	Gold Palace Fashion Jewellery M.C. Road, Koothattukulam P.O. Ernakulam, Kerala-686662	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
19.	6990396	25-11-2009	Ajay & Co. Door No. XII/227/1, Gosaikunnu, Kuriachira, Thrissur, Kerala-680006	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
20.	6993204	03-12-2009	Nambiaparambil Tee Jay Jewellers, Pallithazham Mulanthuruthy P. O. Ernakulam, Kerala-682314	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
21.	6993608	03-12-2009	Golden Jewellers Pezhakkapilly, Muvattupuzha Ernakulam, Kerala-686674	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
22.	6993406	03-12-2009	Premier Alloys Nida, Kanjikode, Plakkad, Kerala-678621	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
23.	6993709	03-12-2009	Prakkat Jewellery Regent Plaza, C. M.S. College Road, Kottayam Kerala-686001	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
24.	6993810	07-12-2009	Rabiya Jewellery VP III/922, Kuttippuram Road, Valanchery P. O. Malappuram Kerala-676552	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
25.	6994408	07-12-2009	Chinna Jewellery Kacherry Junction Ambalapuzha P. O. Alappuzha, Kerala-688561	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
26.	6994509	07-12-2009	Golden Jewellery 1/554, Main Road, Kuttippuram Malappuram Kerala-679571	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
27.	6994711	07-12-2009	Aiswarya Fashion Jewellery Thazhivilacom Complex, Kallikadu, Mylakkara P. O., Kattakkada Thiruvanantha- puram, Kerala-695572	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
28.	6994812	07-12-2009	Cherkottu Fashion Jewellery High Range Junction Kothamangalam Ernakulam, Kerala-686691	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
29.	6993305	07-12-2009	K. P. Chacko & Sons, Jewellers Kakkanattu Building Market Road Thodupuzha Idukki, Kerala-685584	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
30.	6993103	07-12-2009	P. N. Mani & Sons Gold Collections High Range Junction Kothamangalam Ernakulam Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
31.	6996816	14-12-2009	M.I. Fashion Jewellery Valayal Chetty Street, T.C. 38/1258, Chalai Bazar, Thiruvananthapuram Kerala-695036	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
32.	6996917	14-12-2009	Pooja Jewellery T.C. 38/2744, Pazhayachalai, Chalai P. O. Thiruvanantha- puram-Kerala 695036	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
33.	6997010	14-12-2009	Thekkupurathu Fashion Jewellery, Chittar Chittar P. O., Pathanamthitta Kerala-689663	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
34.	6997111	14-12-2009	Elevanthikkal Jewellery, 4/832, C, Main Road, Balussery, Kozhikode, Kerala-673613	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
35.	6997212	17-12-2009	PPS Steels, (Kerala) Private Limited VIII 864, 865 S.F. No. 405/2, NIDA, Menonparara Road, Palakkad, Kanjikode Kerala-678621	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992
36.	3301332	23-12-2009	JKJ Industries, Sy. No. 1482/3/2, Puthupaddy Post, Chirapady Kothamangalam, Ernakulam, Kerala-686673	Packaged drinking water (other than packaged natural mineral water)	IS 14543	-	-	2004
37.	3302435	29-12-2009	New Poornima Jewellery, Govt. Hospital Junction, West Nada Kodungallur, Thrissur Kerala-680664	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
38.	3302334	30-12-2009	Kodimootil Jewellers, K.P. XII/388/B 9, New Panchayath Shopping Complex, Parippally Parippally Post, Kollam, Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
39.	3302233	30-12-2009	Payyappilly's Jewellery, Opp. Private Bus Stand, Mala, Thrissur, Kerala-680732	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
40.	3302536	30-12-2009	K.P. Varkey & Sons, Kakkanatt Jewellers, XXVI/750, 751, A.M. Road, Kothamangalam, Ernakulam, Kerala-686691	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
41.	3306241	30-12-2009	Truskin Gloves Private Ltd. Plot No. 14-C, Cochin, Special Economic Zone, Kakkanad Ernakulam, Cochin, Kerala-682037	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 4148	-	-	1989
42.	3303942	01-01-2010	Fathima Jewellery, CP/IV 313 E, Valiyakada, Chirayinkil, Thiruvanantha- puram, Kerala-695304	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
43.	3314644	02-01-2010	AL Majnas Jewellery, Mullambalam Shopping Complex, Koduvally, Kozhikode, Kerala-673572	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
44	3303235	05-01-2010	Best Plast PVC Pipes, Main Road, Parassery, Kongad, Palakkad, Kerala-678631	Un plasticized pvc pipes for potable water supplies	IS 4985	-	-	2000
45.	3305441	08-01-2010	UM Enterpreses, KM No. XV/334A, Vadacode P. O. Kangarapady Ernakulam, Kerala-682021	Packaged drinking water (Other than packaged natural mineral water)	IS 14543	-	-	2004
46.	3308750	18-01-2010	Garnet Gold Park Pvt. Ltd., 17/2275 A, Sai Building, M.M. Ali Road, Kozhikode, Kerala-673001	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
47.	3308851	18-01-2010	Wood Land Gold, E. P/763 B, C-Main Road, Edakkara, P. O. Nilambur, Malappuram Dist. Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
48.	3308952	18-01-2010	Harisri Jewellery, Kottiyam Kollam Kerala-691571	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
49.	3309449	20-01-2010	Geekay Hygienics Private Limited, P.B. No. 3, Punnayam Asamannur P. O. Perumbavoor. Ernakulam, Kerala-683549	Packaged drinking water (Other than packaged natural mineral water)	IS 14543	-	-	2004
50.	3312135	25-01-2010	M/s. Rajesh Jewellers, M.C. Road, Pandalam, Pathanamthitta Kerala-689501	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
51.	3312842	25-01-2010	Sreevalsam Jewellers, Kodumon P. O. Pathanamthitta Kerala-691555	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
52.	3312943	25-01-2010	Sreevalsam Jewellers, Kallarkutty Road Adimali P. O. Idukki, Kerala-685561	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
53	3313036	25-01-2010	Arafa Jewellery, Market Road, Puthiyatheru, Chirakkal P. O. Kannur, Kerala-670011	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
54	3313137	25-01-2010	Achakottil Jewels, MVM, Madaparambil Plaza, Kacherithazham, Muvattupuzha, Ernakulam, Kerala-686661	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
55	3313238	25-01-2010	Malanad Gold, B. P. 4/822 A. Park Corner Balussery, Kozhikode Kerala-673612	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
56.	3313339	25-01-2010	Lillah Gold, Koppam, P. O. Pulassery Palakkad, Kerala-679307	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
57.	3313440	25-01-2010	Glisten Gold Collections Pvt. Ltd., K. P. III 2561 to 2564, Opp. Boys H. S. School, Karunagapally, Kollam, Kerala-690518	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
58.	3315646	27-01-2010	Koyenco Feeds Pvt. Ltd., Koyenco House West Hill P. O. Kozhikode Kerala-673005	Compounded feeds for cattle	IS 2052	-	-	1979
59.	3315747	27-01-2010	Krishna Steel Rolling Mills, Building No. VIII/1041, NIDA, Kanjikode Palakkad, Kerala-678621	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992
60.	3314886	01-02-2010	C.H. Jewellery, Main Road, Chemmad, Tirurangadi P. O. Malapuram, Kerala-676306	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
61.	3314543	01-02-2010	Josco Jewellery, M. O. Road, Thrissur, Kerala-680001	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
62.	3314745	01-02-2010	Channel View Jewellers, Panchayat New Shopping Complex, Parippally Kollam, Kerala-691574	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
63.	3319149	02-02-2010	Ganga Products, Sy. No. 15/10, Block No. 29, Valayanchirangar A. P.O. Airapuram Village Eranakulam Kerala-683556	Packaged drinking water (Other than packaged natural mineral water)	IS 14543	-	-	2004
64.	3317448	04-02-2010	Trimurthi Jewellery, T.C. 18/551, Main Road, Koyilandy, Kozhikode, Kerala-673002	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
65.	3318652	04-02-2010	Mascom Steel (India), Private Limited, I/II 7-E, Industrial Development Area, Erumathala P. O. Aluva, Ernakulam Kerala-683112	High strength deformed steel bars and wires for concrete reinforcement	IS 1786	-	-	1985
66.	3317044	04-02-2010	Swarna Kamal Jewels, (India) Pvt. Ltd., T.C. 17/417 B to J, Baker Junction, Near Modern Diagnostic Centre, Kottayam, Kerala-686001	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
67.	3317246	04-02-2010	Vins Jewellery, Mattupetty Road, Munnar P. O. Idukki, Kerala-685612	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
68.	3317347	04-02-2010	Super Jewellery, Room No. NP. 9/386, Vakayad Road, Naduvannur, Kozhikode, Kerala-673614	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
69.	3316143	04-02-2010	Travancore Gold India Pvt. Ltd., T.C. 28/2222(6), Opp. Big Bazar, M.G. Road, Thiruvananthapuram, Kerala-695004	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
70.	3316244	04-02-2010	Chiriankandath Jewel Palace, Palace Road, Thrissur, Kerala-680020	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
71.	3316345	04-02-2010	Sakthi Jewellers, Mullakkal, Alappuzha, Kerala-688011	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
72.	3316446	04-02-2010	Bombay Plywood Industries, Panipra, P.O. Kothamangalam, Ernakulam, Kerala-686692	Plywood for general purposes	IS 303	-	-	1989
73.	3316547	04-02-2010	Sivasakthi Jewellery, Near Muthumari, Amman Temple, Kaithamukku Junction, Pettah, P. O. Thiruvanantha- puram, Kerala-695024	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
74.	3316648	04-02-2010	Sana Gold , D/No : X/490, Near Canara Bank, Nadapuram Road, Parakkadavu, P.O. Kozhikode, Kerala-673509	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
75.	3316749	04-02-2010	Pankaj Jewellers, P.P. Road, Pala, Kottayam, Kerala-686575	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
76.	3316850	04-02-2010	Kairali Jewellery, Vaduthala Junction, Arookutty, Alappuzha Kerala-688535	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
77.	3316951	04-02-2010	V. P. Thomas & Sons, Karthedath Jewellery, Main Road, Tripunithura, Ernakulam, Kerala-682301	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
78.	3317145	08-02-2010	Padikala Jewellery, G.C.D.A. Shopping Complex, Marinedrive, Ernakulam, Kerala-682031	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
79.	3318753	08-02-2010	Atlas Gold 7/962, 963, Opp. Canara Bank, Ponnani P. O. Malappuram Distt., Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
80.	3320235	15-02-2010	Seepison Plyboard Kandanthara, Allapra P.O. Perumbavoor, Ernakulam, Kerala-683553	Plywood for general purposes	IS 303	-	-	1989
81.	3321338	16-02-2010	Vazhemadathil Jewellers Building Number 703/VI, Main Road, Thalayola- parambu, Kottayam, Kerala-686605	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
82.	3321439	16-02-2010	Munavara Jewellers T.C. 12/823 A, Munavara Building, Mannarkkad, Palakkad, Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
83.	3321540	16-02-2010	Surya Jewellers Poovathoor Building, Chengannur P. O. Alappuzha Kerala-689121	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
84.	3321641	16-02-2010	Indian Jewellery Sadik Manzil Oyoor P. O. Kollam, Kerala-691510	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
85.	3321843	16-02-2010	Kalyan Jewellers India (P) Ltd. Calicut Road, Perinthalmanna, Malappuram, Kerala-679322	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
86.	3321944	16-02-2010	Kalyan Jewellers India (P) Ltd., Ward No. 27, B. No. 55/1, Round North, Thrissur, Kerala-680001	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
87.	3322037	16-02-2010	Kalyan Jewellers Kollam & Erod, Ward No. 18B, No. MC. 17/3749, 3750, 3751, Zain Tower, Beach Road, Kollam, Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
88.	3323241	17-02-2010	Phoenix Agencies VII/303, Kallokkaran Building, Turavoor Village, Kidangoor P. O. Ernakulam, Kerala-683572	Packaged drinking water (Other than packaged natural mineral water)	IS 14543	-	-	2004
89.	3323342	17-02-2010	Plycon Laminates Kuttipadam, Allapra (P. O.), Perumbavoor Ernakulam, Kerala-683553	Plywood for general purposes	IS 303	-	-	1989

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
90.	3330440	17-02-2010	Shero Plywoods Door No. AP VIII/585M Industrial Development Plot, Andar Parassini- Kadavu P. O., Kannur, Kerala-670563	Plywood for general purposes	IS 303	-	-	1989
91.	3333345	17-02-2010	Kuttippulan Iron & Steel Co. (P) Limited, VIII/1018, Kinfra Wise Park, Menoupara Road, Kanjikode, Palakkad, Kerala-678621	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992
92.	3323948	23-02-2010	Kalyan Jewellers India (P) Ltd., Mavoor Road, Kozhikode, Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
93.	3324041	23-02-2010	Bennys Jewellery Bennys Tower, Bus Stand Junction, Rajakkad, Idukki, Kerala-685566	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
94.	3324142	23-02-2010	Swarna Mahal Melethil Building Chulliyode Road, Pookkottumpadam P.O. Malappuram, Kerala-679332	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
95.	3324647	23-02-2010	Old Pavees Jewellery, K.R. Vijayan Memorial Shopping Complex, Old K.S.R.T.C. Stand, N. Paravoor, Ernakulam Kerala-683513	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
96.	3324748	23-02-2010	Kalyan Jewellers India (P) Ltd. Kandath Complex, G. B. Road, Palakkad, Kerala-678001	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
97.	3325548	25-02-2010	Shalimar Gold Shalimar Building, College Road, Changanacherry, Kottayam, Kerala- 686101	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
98.	3325649	25-02-2010	Thadathil Jewellery Near Private Bus Stand, Erattupetta P. O. Kottayam, Kerala-686121	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
99.	3325750	25-02-2010	Swarnagiri Fashion Jewellery No. VII/385, 386, TB Road, Perambra, Kozhikode, Kerala-673525	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
100.	3325851	25-02-2010	Panikkasseri Jewellers Mukkada, Kundara, Kollam, Kerala-691501	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
101.	3325952	25-02-2010	Padma Jewellers Mayyanadu Road, Kottiyam P. O., Kollam, Kerala-691571	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
102.	3326247	26-02-2010	Mars Plywood Industries (Private) Limited, Door No. MGP 1/133, 1/129A, 1/129, 1/132B Kunjathur P. O. Thalapady, Kasaragod, Kerala-671323	Plywood for general purposes	IS 303	-	-	1989
103.	3326348	26-02-2010	Mars Plywood Industries (Private) Limited, Door No. MGP 1/133, 1/129A, 1/129, 1/132B Kunjathur P. O. Thalapady, Kasaragod, Kerala-671323	Block boards	IS 1659	-	-	2004
104.	3326449	26-02-2010	Mars Plywood Industries (Private) Limited, Door No. MGP 1/133, 129A, 1/129, 1/132B, Kunjathur P. O. Thalapady Kasaragod., Kerala-671323	Marine plywood	IS 710	-	-	1976
105.	3326550	01-03-2010	Mars Plywood Industries (Private Limited, Door No. MGP 1/133, 1/129A, 1/129, 1/132B Kunjathur P. O. Thalapady, Kasaragod, Kerala-671323	Plywood for concrete shuttering work	IS 4990	-	-	1993
106.	3333648	02-03-2010	Periyar Wood Products Thuruthi Road, Chungam Pappinisseri, Kannur, Kerala-670561	Block boards	IS 1659	-	-	2004
107.	3330743	02-03-2010	Chinnan Sons Jewellers No. IX/803, Cherpulassery Road, Kongad, Palakkad, Kerala-678631	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
108.	3330844	02-03-2010	Chinnan Sons Jewellers No. 15/63 Chittor Road, Kozhin- jampara Palakkad, Kerala-678555	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
109.	3331038	09-03-2010	Pulimoottil Jewellery, Karavatte Kurize, Piravom, Ernakulam, Kerala- 686664	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
110.	3331139	09-03-2010	Vithayathil Jewellers Chirakkakam Opp. Christ Nagar Church, Varapuzha P.O. Ernakulam, Kerala- 683517	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
111.	3331240	09-03-2010	Swapna Fashion Jewellery Mitchel Junction, Mavelikara, Alappuzha, Kerala-690101	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
112.	3331341	10-03-2010	Ananda Jewellery Pulamom (JN), Kottarakara P. O. Kollam, Kerala-691506	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
113.	3331745	10-03-2010	World Wide Iron & Steels Private Limited, VIII/862, Wise Park Petronet Road, NIDA Kanjikode Palakkad, Kerala-678621	Steel for general structural purposes-	IS 2062	-	-	2006
114.	3332040	10-03-2010	Fashion Jewellery Punalur Road, Anchal Kollam Kerala	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
115.	3334044	10-03-2010	Thamarapally Rubber Company Limited Calicut Estate, Thekkumkutti, P.O. Alli Mukkom Kozhikode Kerala-673602	Ammonia preserved concentrated natural rubber latex	IS 5430	-	-	1981
116.	3334751	16-03-2010	Shero Plywoods Door No. AP VIII 585M, Industrial Development Plot, Andoor, Parassinikadavu P. O. Kannur, Kerala-670563	Plywood for concrete shuttering work	IS 4990	-	-	1993
117.	3333850	16-03-2010	Kannath Jewellery Kannath House, Venkitangu P. O. Thrissur Kerala-680510	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
118.	3333951	16-03-2010	World Wide Iron & Steels Private Limited VIII/862, Wise Park Petronet Road, NIDA Kanjikode Palakkad Kerala-678621	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992
119.	3333749	16-03-2010	Rishad Jewellery Dilshad Manzil, Kannanalloor P. O. Kollam, Kerala-691576	Gold and gold alloys, jewellery/artefacts- Fineness and marking	IS 1417	-	-	1999
120.	3336452	23-03-2010	Mannarkkad Steels Private Limited, VIII/960, Wise Park Menonpara Road, Kanjikode, Palakkad, Kerala-678621	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992
121.	3336553	23-03-2010	Marutham Steels Industries Private Limited, VIII/885, NIDA, Kanjikode Post, Palakkad, Kerala-678621	Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes	IS 2830	-	-	1992

नई दिल्ली, 11 अगस्त, 2010

का.आ. 2050.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संशोधित भारतीय मानक(कों) की संख्या वर्ष संख्या और शीर्षक	संशोधनों की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)
1. आईएस 15391-2003 अतप्त बेल्लित गैर-दिशात्मक विद्युत इस्पात की चदर एवं पत्ती-अर्ध-प्रकृतित प्ररूप-विशिष्ट	संशोधन संख्या 3 जुलाई, 2010	27-7-2010

इस संशोधन की प्रतियां भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 4/टी-212]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 11th August, 2010

S.O. 2050.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Amendment Indian Standards particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :—

SCHEDULE

Sl No.	No. and year of the amendment (s)	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 15391 : 2003 Cold rolled non-oriented electrical steel sheet and strip-Semiprocessed Type—Specification	Amendment No. 3 July 2010	27-7-2010

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices, New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices, Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Tiruvananthapuram.

[Ref: MTD 4/T-212]

P. GHOSH, Scientist 'I' & Head (Met Engg.)

नई दिल्ली, 13 अगस्त, 2010

का.आ. 2051.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किए गये हैं :—

अनुसूची

क्रम संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक संशोधनों की संख्या और तिथि	स्थापित तिथि
संख्या	
(1) (2)	(3) (4)
1. आई एस 1813 : 1961 पानी के उपचार के लिए अभ्यास के समुद्री बॉयलरों की रीति संहिता	संशोधन संख्या नं. 1, जुलाई, 2010 31 जुलाई, 2010
2. आई एस 201 : 1992 वस्त्र उद्योग के लिए जल की गुणत छूटें-विशिष्ट (दूसरा पुनरीक्षण)	संशोधन संख्या नं. 2, जुलाई, 2010 31 जुलाई, 2010
3. आई एस 7932 : 1982 वायलर जल उपचार यौगिकों के लिए विशिष्टता (पहला पुनरीक्षण)	संशोधन संख्या नं. 1, जून, 2010 30 जून, 2010
4. आई एस 3328 : 1993 तरण तालों के लिए पानल की गुणता छूटें (पहला पुनरीक्षण)	संशोधन संख्या नं. 1, जुलाई, 2010 30 जुलाई, 2010

इस भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : सोएचडी 13/आईएस 1813]

ई. देवेन्दर, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 13th August, 2010

S.O. 2051.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which is given in the Schedule hereto annexed have been issued.

SCHEDULE

SI No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 1813 : 1961 code of practice for treatment of water for marine boilers	Amendment No. 1 July, 2010	31 July, 2010
2.	IS 201 : 1992 quality tolerance for water for Textile Industry-Specification (Second Revision)	Amendment No. 2 July, 2010	31 July, 2010
3.	IS 7932 : 1982 specification for boiler water treatment compounds (First Revision)	Amendment No. 1 June, 2010	30 June, 2010
4.	IS 3328 : 1993 quality tolerances for water for swimming pools (First Revision)	Amendment No. 1 July, 2010	31 July, 2010

Copy of these standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices, New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch

Offices, Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CHD 13/IS 1813]

E. DEVENDAR, Scientist 'F' & Head (Chemical)

नई दिल्ली, 13 अगस्त, 2010

का.आ. 2052.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गये हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नए भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3025 (भाग 21) : 2009 जल और अपशिष्ट जल के नमूने लेने तथा परीक्षण (भौतिक एवं रसायन) की पद्धतियाँ भाग 21 कठोरता (दूसरा पुनरीक्षण)	—	31 दिसम्बर, 2009

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 32/आईएस 3025 (भाग 21)]

ई. देवेन्दर, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 13th August, 2010

S.O. 2052.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards particulars of which is given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

SI No.	No. & Year of Indian Standard Established	No. and Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS 3025 (Part 21) : 2009 Methods of sampling and test (Physical and Chemical) for water and wastewater Part 21 Hardness (Second Revision)	—	31 December, 2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices, New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices, Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CHD 32/IS 3025 (Part 21)]

E. DEVENDAR, Scientist 'F' & Head (Chemical)

कोयला मंत्रालय

शुद्धि-पत्र

नई दिल्ली, 9 अगस्त, 2010

का.आ. 2053.—कोयलाधारी क्षेत्र (अधिग्रहण और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार मई 15, 2010 को भारत के राजपत्र के भाग II खंड-3, उपखंड (ii) में प्रकाशित 5 मई, 2010 के का.आ. 1238 के अनुसार भारत सरकार, कोयला मंत्रालय की अधिसूचना को एतद्द्वारा संशोधित करती है, अर्थात् :-

उक्त अधिसूचना के हिन्दी रूपांतरण में अनुसूची के नीचे दिये गये क्रम संख्या 4. "ग्राम झिगुरदा में अर्जित किये जाने वाले प्लॉट संख्यांक" में संख्या "4.3 (भाग)" के स्थान पर "403 (भाग)" प्रतिस्थापित किया जाएगा।

[फा.सं. 43015/15/2009/पीआरआईडब्ल्यू-1]

एम. शाहबुद्दीन, अवर सचिव

नई दिल्ली, 10 अगस्त, 2010

का.आ. 2054.—केंद्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार ने कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का. आ. 449 तारीख 3 फरवरी, 2010, जो भारत के राजपत्र के भाग -II, खंड-3 उपखंड (ii) तारीख 13 फरवरी, 2010 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 221.710 हेक्टर (लगभग) या 547.875 एकड़ (लगभग) है;

और केंद्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विहित उक्त भूमि में कोयला अभिप्राप्त है;

अतः अब, केंद्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि का अर्जन करने की, अपने आशय की सूचना देती है। इससे संलग्न अनुसूची में वर्णित 221.710 हेक्टर (लगभग) या 547.845 एकड़ (लगभग) माप वाली भूमि में या उस पर के खनन अधिकार।

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या सी-1(ई) III/ एचआर/826-0410, तारीख 21 अप्रैल, 2010 को जिला अधिकारी, छिन्दवाड़ा के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700 001 के कार्यालय में या महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

टिप्पण 2 : कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध हैं :—

अर्जन की वाबत आपत्तियां :

"8(1) कोई व्यक्ति जो किसी भूमि में जिसकी वाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीन दिनों के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण :

(1) इस धारा के अधीन यह आपत्ति नहीं मानी जाएगी, कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केंद्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं मुने जाने का या विधि व्यवसायी द्वारा मुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केंद्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।"

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, कार्डिनल हाउस स्ट्रीट, कोलकाता-700 001 के उक्त अधिनियम के अधीन अधिसूचना सं. का.आ. 2519, तारीख 27 मई, 1983 द्वारा भारत के राजपत्र, भाग-II खंड-3, उपखंड (ii), तारीख 11 जून, 1983 द्वारा प्रकाशित को सक्षम प्राधिकारी द्वारा नियुक्त किया जाता है।

अनुसूची

भाकरा अंडरग्राउंड माईन

कन्हान क्षेत्र

जिला-छिन्दवाड़ा (मध्य प्रदेश)

[रेखांक संख्या सी-1 (ई) II/एचआर/826-0410, तारीख 21 अप्रैल, 2010]

खनन अधिकार :

क्र. स.	ग्राम का नाम	पुराना पटवारी सर्किल संख्या	नया पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणियां
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	भाकरा	09	06	जुन्नारदेव	छिन्दवाड़ा	144.469	भाग
2.	नंदना	16	04	जुन्नारदेव	छिन्दवाड़ा	77.241	भाग

कुल : 221.710 हेक्टर (लगभग)

या

547.845 एकड़ (लगभग)

ग्राम भाकरा में अर्जित किए जाने वाले प्लॉट संख्याक :

3 (भाग), 4(भाग), 5(भाग), 6(भाग), 7(भाग), 9(भाग), 26(भाग), 27(भाग), 28(भाग), 29, 30 (भाग), 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46(भाग), 47/1, 47/2, 47/3, 48, 49, 50, 51, 52, 53/1, 53/2, 53/3, 53/4, 54, 55, 56, 57, 58, 59, 60, 61, 62/1, 62/2, 63, 64/1, 64/2, 64/3, 64/4, 65, 66, 67, 68, 69, 70, 71/1, 71/2, 72/1, 72/2, 72/3, 72/4, 72/5, 72/6, 72/7, 72/8, 72/9, 73, 74(भाग), 75, 76(भाग), 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89/1, 89/2, 90, 91, 92, 93, 94(भाग), 95, 96(भाग), 97(भाग), 98(भाग), 101(भाग), 102/1, 102/2, 102/3, 103, 104(भाग), 105(भाग), 106(भाग), 107(भाग), 108(भाग), 175(भाग), 176(भाग), 177, 179(भाग), 180(भाग), 181, 182, 183, 184(भाग), 209(भाग), 210(भाग), 212(भाग), 213(भाग), 215/1(भाग), 215/2.

ग्राम नंदना में अर्जित किए जाने वाले प्लॉट संख्याक :

11(भाग), 12, 13/1(भाग), 14(भाग), 15(भाग), 16(भाग), 17(भाग), 18/1(भाग), 18/2, 18/3, 18/4(भाग), 19, 20/1, 20/2, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33(भाग), 35(भाग), 42(भाग), 46(भाग), 47(भाग), 48, 49(भाग), 53(भाग), 54/1(भाग), 54/2(भाग), 54/3, 54/4, 55, 56, 57, 58(भाग), 59/1, 59/2, 59/3, 59/4, 60, 61, 62, 63/1, 63/2, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78/1, 78/2, 79(भाग), 88(भाग), 89(भाग), 90, 91/1(भाग), 91/2, 91/3, 91/4, 92, 93, 94/1, 94/2, 95(भाग), 96(भाग), 98(भाग), 99, 100, 101, 102, 103, 104(भाग), 105(भाग)।

सीमा वर्णन :

क-ख-ग रेखा ग्राम भाकरा में बिन्दु "क" से आरंभ होती है और प्लॉट संख्यांक 98(भाग), 97(भाग), 96(भाग), 101(भाग), 95(भाग), 94(भाग), 175(भाग), से गुजरते हुए बिन्दु "ख" के पास से गुजरती है फिर प्लॉट संख्या 176(भाग), से होकर प्लॉट संख्या 177 की सीमा से लगकर गुजरती है फिर प्लॉट संख्यांक 179(भाग), 180(भाग), 182(भाग), 215/1(भाग), 213(भाग), 212(भाग), 210(भाग), 209(भाग), से होकर गुजरती है और बिन्दु "ग" पर मिलती है।

ग-घ-ङ. रेखा ग्राम भाकरा से प्लॉट संख्यांक 209(भाग), 210(भाग), 212(भाग), से होकर गुजरती है फिर प्लॉट संख्या 182 की सीमा से लगकर गुजरती है फिर प्लॉट संख्यांक 184(भाग), 30(भाग), 26(भाग), से होकर गुजरते हुए बिन्दु "घ" के पास से गुजरती है और फिर से प्लॉट संख्या 26(भाग), से होकर बिन्दु "ङ" पर मिलती है।

ड-च-क रेखा ग्राम भाकरा से प्लॉट संख्यांक 26(भाग), 184(भाग), 27(भाग), 28(भाग), 9(भाग), 7(भाग), 6(भाग), 5(भाग), 4(भाग), 3(भाग), 74(भाग), से होकर गुजरती है फिर ग्राम भाकरा और ग्राम नंदना की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम नंदना के प्लॉट संख्यांक 58(भाग), 53(भाग), 54/2(भाग), 54/1(भाग), 49(भाग), 47(भाग), 42(भाग), 46(भाग), 33(भाग), 35(भाग), 11(भाग), 13/1(भाग), 13/2(भाग), 14(भाग), 16(भाग), 15(भाग), से होकर गुजरती है फिर बिन्दु "च" के पास से गुजरते हुए प्लॉट संख्यांक 15(भाग), 16(भाग), 17(भाग), 18/1(भाग), 18/4(भाग), 79(भाग), 89(भाग), 88(भाग), 91/1(भाग), 96(भाग), 98(भाग), 105(भाग), 104(भाग), 58(भाग), से होकर गुजरती है फिर ग्राम नंदना और ग्राम भाकरा की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम भाकरा से प्लॉट संख्या 103 की सीमा से लगकर गुजरती है और प्लॉट संख्यांक 104(भाग), 105(भाग), 106(भाग), 107(भाग), 108(भाग), 101(भाग), 98(भाग), से होकर गुजरती है और आरंभिक बिन्दु "क" पर मिलती है।

[फा.सं. 43015/33/2009-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

New Delhi the 10th August, 2010.

S.O. 2054.—Whereas, by the notification of the Government of India in the Ministry of Coal number S.O. 449, dated the 3rd February, 2010, issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section - 3, Sub-Section. (ii) dated the 13th February, 2010, the Central Government gave notice of its intention to prospect for coal in 221.710 hectares (approximately) or 547.845 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas, the Central Government is satisfied that coal is obtainable in a part of said lands prescribed in the schedule (s) appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire Mining Rights in or over the land measuring 221.710 hectares (approximately) or 547.845 acres (approximately) in Mining Rights described in the Schedule.

Note 1 : The plan bearing number C-1(E) III/HR/826 - 0410, dated the 21st April, 2010 of the area covered by this notification may be inspected at the office of the Collector, Chhindwara (Madhya Pradesh) or at the office of the Coal Controller, 1, Council House Street, Kolkata (Pin -700 001)- or at the office of the General Manager, Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur - 440001 (Maharashtra).

Note 2 : Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows:

Objections to Acquisition :

"8(1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation :

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of proceedings held by him, for the decision of that Government.
- (3): For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3 : The Coal Controller, 1, Council House Street, Kolkata-700 001 has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 2519, dated the 27th May, 1983, published in the Gazette of India, Part- II, Section 3, Sub-Section (ii), dated the 11th June, 1983.

SCHEDULE

BHAKRA UNDERGROUND MINE KANHAN AREA

DISTRICT CHHINDWARA (MADHYA PRADESH)

[Plan number: C-I(E)III/HR/826 - 0410, dated the 21st April, 2010]

MINING RIGHTS:

Sl. No.	Name of village	Old Patwari Circle number	New. Patwari Circle number	Tahsil	District	Area in hectares	Remarks
1	Bhakra	09	06	Junnardeo	Chhindwara	144.469	Part
2	Nandna	16	04	Junnardeo	Chhindwara	77.241	Part

Total : 221.710 hectares

(approximately)

or 547.845 acres

(approximately)

Plot number to be acquired in village Bhakra :

3(P), 4(P), 5(P), 6(P), 7(P), 9(P), 26(P), 27(P), 28(P), 29, 30(P), 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46(P), 47/1, 47/2, 47/3, 48, 49, 50, 51, 52, 53/1, 53/2, 58/3, 53/4, 54, 55, 56, 57, 58; 59, 60, 61, 62/1, 62/2, 63, 64/1, 64/2, 64/3, 64/4, 65, 66, 67, 68, 69, 70, 71/1, 71/2, 72/1, 72/2, 72/3, 72/4, 72/5, 72/6, 72/7, 72/8, 72/9, 73, 74(P), 75, 76(P), 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89/1, 89/2, 90, 91, 92, 93, 94(P), 95, 96(P), 97(P), 98(P), 101(P), 102/1, 102/2, 102/3, 103, 104(P), 105(P), 106(P), 107(P), 108(P), 175(P), 176(P), 177, 179(P), 180(P), 181, 182, 183, 184(P), 209(P), 210(P), 212(P), 213(P), 215/1(P), 215/2.

Plot number to be acquired in village Nandna :

11(P), 12, 13/1(P), 14(P), 15(P), 16(P), 17(P), 18/1(P), 18/2, 18/3, 18/4(P), 19, 20/1, 20/2, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33(P), 35(P), 42(P), 46(P), 47(P), 48, 49(P), 53(P), 54/1(P), 54/2(P), 54/3, 54/4, 55, 56, 57, 58(P), 59/1, 59/2, 59/3, 59/4, 60, 61, 62, 63/1, 63/2, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78/1, 78/2, 79(P), 88(P), 89(P), 90, 91/1(P), 91/2, 91/3, 91/4, 92, 93, 94/1, 94/2, 95(P), 96(P), 98(P), 99, 100, 101, 102, 103, 104(P), 105(P).

Boundary description :

'A'-'B'-'C' : Line starts from Point 'A' in village Bhakra and passes through plot numbers 98(P), 97(P), 96(P), 101(P), 96(P), 94(P), 175(P), and nearby point 'B' and then proceeds through plot number 176(P), along with the outer boundary of plot number 177 and then passes through plot numbers 179(P), 180(P), 182(P), 215/1(P), 213(P), 212(P), 210(P), 209(P) and meets at Point 'C'.

'C'-'D'-'E' : Line passes through village Bhakra through plot numbers 209(P), 210(P), 212(P), along with the outer boundary of plot number 182, then proceeds through plot numbers 184(P), 30(P), 26(P), and passes nearby Point 'D' then again proceeds through plot number 26(P), and meets at Point 'E'.

'E'-'F'-'A' : Line passes through village Bhakra through plot numbers 26(P), 184(P), 27(P), 28(P), 9(P), 7(P), 6(P), 5(P), 4(P), 3(P), 74(P), crosses common village boundary of villages Bhakra and Nandna then passes through village Nandna and plot numbers 58(P), 53(P), 54/2(P), 54/1 (P), 49(P), 47(P), 42(P), 46(P), 33(P), 35(P), 11(P), 13/1, 13/2(P), 14(P), 16(P), 15(P), and passes nearby Point 'F' then again passes through plot numbers 15(P), 16(P), 17(P), 18/1(P), 18/4(P), 79(P), 89(P), 88(P), 91/1(P), the along the outer boundary of plot number 90 and then passes through plot numbers 91/1(P), 96(P), 98(P), 105(P), 104(P), 58(P), crosses common village boundary

of villages Nandna and village Bhakra then passes through village Bhakara along plot number 103(P), then proceeds through plot number 104(P), 105(P), 106(P), 107(P), 108(P), 101(P), 98(P), and meets at starting Point 'A'.

[F.No. 43015/33/2009- PRIW-I]

M. SHAHABUDDIN, Under Secy.

नई दिल्ली, 12 अगस्त, 2010

का.आ. 2055.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 की धारा 20) (जिसे इसमें इससे पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार ने कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का. आ. 91 तारीख 9 जनवरी, 2009, जो भारत के राजपत्र के भाग-II, खंड-3 उपखंड (ii) तारीख 17 जनवरी, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 142.34 हेक्टर (लगभग) या 351.72 एकड़ (लगभग) है;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना में संलग्न अनुसूची में विहित की गई उक्त भूमि के भाग में कोयला अधिप्राप्त करना है ;

अतः अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि का अर्जन करने की अपने आशय की सूचना देती है। इससे संलग्न अनुसूची में विहित 139.04 हेक्टर (लगभग) या 343.56 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार।

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या सी-1(ई) III/ जेजेएनआर/831-0510, तारीख 29 मई, 2010 को जिला अधिकारी, यवतमाल (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700 001 के कार्यालय में या महाप्रबंधक, वेस्टर्न कोल फील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

टिप्पण 2 : उक्त अधिनियम, की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है :-

अर्जन का बाधत आपत्तियां :

“(क) कोई व्यक्ति जो किसी भूमि में जिसकी बाधत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिनों के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

सफ्टीकरण :-

(1) इस धारा के अधीन यह आपत्ति नहीं मानी जाएगी, कि कोई व्यक्ति किसी भूमि में कोयला उत्खनन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।”

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700 001 को उक्त अधिनियम की धारा 3 के अधीन अधिसूचना सं. का.आ. 2519, तारीख 27 मई, 1983 द्वारा भारत के राजपत्र, भाग-II खंड-3, उपखंड (ii), तारीख 11 जून, 1983 द्वारा प्रकाशित को सक्षम प्राधिकारी द्वारा नियुक्त किया जाता है।

अनुसूची
जुनाड एक्सटेंशन ब्लॉक
वणी नार्थ क्षेत्र
जिला-यवतमाल (महाराष्ट्र)
(रेखांक संख्या सी-1 (ई) III/जेजेएनआर/831-0510, तारीख 29 मई, 2010)

खनन अधिकार :

क्र. स.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणियां
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	बोरगांव	33	वणी	यवतमाल	22.70	भाग
2.	जुनाडा	33	वणी	यवतमाल	98.34	भाग
3.	पिंपलगांव	33	वणी	यवतमाल	18.00	भाग

कुल : 139.04 हेक्टर (लगभग)

या

343.56 एकड़ (लगभग)

ग्राम बोरगांव में अर्जित किए जाने वाले प्लॉट संख्याक :

78, 103, 104/1, 104/1ए, 104/2, 105/1, 105/2, 106/1, 106/2, 107/1, 107/2, 107/3, 107/4, 121, 122 ।

ग्राम जुनाडा में अर्जित किए जाने वाले प्लॉट संख्याक :

24/1, 24/2, 28, 29/1, 29/2, 30/1, 30/2, 31 (भाग), 32/1, 32/2, 32/3, 32/4, 33/1, 33/2, 34, 35, 36, 37, 38/1, 38/2, 39/1, 39/2, 39/3, 40, 41, 43/1, 43/2, 43/3, 43/4, 44/1, 44/2, 45, 46, 47, 48, 49/1, 49/2, 49/3, 50, 51, 52, 53, 54/1ए, 54/1बी, 54/2ए, 54/2बी, 55, 56/1, 56/2, 57 (भाग), 61, 62, 63/1, 63/2, 64, 65, 68/1, 68/2, 68/3, 68/4, 70/1ए, 70/1बी, 70/2, 70/3, 70/4, 71, सड़क ।

ग्राम पिंपलगांव में अर्जित किए जाने वाले प्लॉट संख्याक :

147, 148, 149, 150/1, 150/2, 150/3, 151/1, 151/2, 152/1, 152/2, सड़क ।

सीमा वर्णन :

क-ख रेखा बिन्दु "क" ग्राम बोरगांव और ग्राम जुनाडा की सम्मिलित ग्राम सीमा से आरंभ होती है और ग्राम बोरगांव से होते हुए प्लॉट संख्यांक 78, 103, 104/1, 104/1ए, 104/2, 105/1, 122, 121, 107/3, 107/4, की बाह्य सीमा से लगकर गुजरते हुए बिन्दु "ख" पर ग्राम बोरगांव और ग्राम जुनाडा की सम्मिलित ग्राम सीमा पर मिलती है ।

ख-ग-घ रेखा ग्राम जुनाडा से प्लॉट संख्या 43/4 की बाह्य सीमा से लगकर गुजरती है और बिन्दु "ग" के पास से गुजरते हुए प्लॉट संख्या 41 की बाह्य सीमा से लगकर गुजरते हुए बिन्दु "घ" पर ग्राम जुनाडा और ग्राम पिंपलगांव की सम्मिलित ग्राम सीमा पर मिलती है ।

घ-ङ रेखा ग्राम पिंपलगांव से प्लॉट संख्यांक 148, 147, 150/1, 150/2, 150/3, 151/2, 152/2 की बाह्य सीमा से लगकर गुजरती है और बिन्दु "ङ" पर ग्राम पिंपलगांव और ग्राम जुनाडा की सम्मिलित ग्राम सीमा पर मिलती है ।

ङ-च-छ-ज-क रेखा ग्राम जुनाडा में प्लॉट संख्यांक 24/2, 24/1, 28 की बाह्य सीमा से लगकर गुजरती है फिर प्लॉट संख्या 31 से होकर गुजरती है और सड़क पार करती है फिर प्लॉट संख्या 57 से होकर गुजरती है फिर प्लॉट संख्यांक 57, 54/1ए, 61, 63/2, 71, 70/4, 70/3, 70/2, 70/1बी, 70/1ए, 68/3, 68/2, 68/1, की बाह्य सीमा से लगकर गुजरती है फिर बिन्दु "छ" के पास से गुजरते हुए फिर प्लॉट संख्यांक 68/1, 68/2, 68/3, 68/4, 70/1ए, 70/1बी, 65 की बाह्य सीमा से गुजरते हुए बिन्दु "ज" से लगकर गुजरती है और फिर प्लॉट संख्यांक 64, 63/2, 63/1, 52, 51 की बाह्य सीमा से लगकर गुजरती है और आरंभिक बिन्दु "क" पर मिलती है ।

[फा.सं. 43015/21/2008-पीआरआई-क्यू-1]

एम. शहाबुद्दीन, आ. सचिव

New Delhi the 12th August, 2010

S.O. 2058.—Whereas, by the notification of the Government of India in the Ministry of Coal number S. O. 91 dated the 9th January, 2009, issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part - II, Section - 3, Sub-Section. (ii) dated the 17th January, 2009, the Central Government gave notice of its intention to prospect for coal in 142.34 hectares (approximately) or 351.72 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas, the Central Government is satisfied that coal is obtainable in a part of said lands prescribed in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the Coal Bearing areas (Acquisition and Development) Act, 1957 the Central Government hereby gives notice of its intention to acquire all rights in or over the land measuring 139.04 hectares (approximately) or 343.56 acres (approximately) described in the Schedule appended hereto.

Note 1 : The plan bearing number C-1(E) III/JJNR/831-0510, dated the 29th May, 2010 of the area covered by this notification may be inspected in the office of the Collector, Yavatmal (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Kolkata (Pin - 700 001) in at the office of the General Manager, Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur - 440001 (Maharashtra).

Note 2 : Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows:-

Objections to Acquisition :

"8(1) Any person interested in any land in respect of which a notification under Section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation :

(1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of proceedings held by him, for the decision of that Government.

(3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3 : The Coal Controller, 1, Council House Street, Kolkata- 700 001 has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 2519, dated the 27th May, 1983, published in Part- II, Section 3, Sub-Section (ii), the Gazette of India, dated the 11th June, 1983

SCHEDULE

JUNAD EXTENSION BLOCK

WANI NORTH AREA

DISTRICT YAVATMAL (MAHARASHTRA)

(Plan bearing number: C-1(E)III/JJNR/831 - 0510, dated the 29th May, 2010)

ALL RIGHTS:

Sl. No.	Name of village	Patwari Circle number	Tahsil	District	Area in Hectares	Remarks
1.	Borgaon	33	Wani	Yavatmal	22.70	Part
2.	Junada	33	Wani	Yavatmal	98.34	Part
3.	Pimpalgaon	33	Wani	Yavatmal	18.00	Part

Total: 139.04 hectares

(approximately)

or

343.56 acres

(approximately)

Plot number to be acquired in village Borigaon :

78, 103, 104/1, 104/1A, 104/2, 105/1, 105/2, 106/1, 106/2, 107/1, 107/2, 107/3, 107/4, 121, 122.

Plot number to be acquired in village Junada :

24/1, 24/2, 28, 29/1, 29/2, 30/1, 30/2, 31(P), 32/1, 32/2, 32/3, 32/4, 33/1, 33/2, 34, 35, 36, 37, 38/1, 38/2, 39/1, 39/2, 39/3, 40, 41, 43/1, 43/2, 43/3, 43/4, 44/1, 44/2, 45, 46, 47, 48, 49/1, 49/2, 49/3, 50, 51, 52, 53, 54/1A, 54/1B, 54/2A, 54/2B, 55, 56/1, 56/2, 57(P), 61, 62, 63/1, 63/2, 64, 65, 68/1, 68/2, 68/3, 68/4, 70/1A, 70/1B, 70/2, 70/3, 70/4, 71, Road

Plot number to be acquired in village Pimpalgaon :

147, 148, 149, 150/1, 150/2, 150/3, 151/1, 151/2, 152/1, 152/2, Road.

Boundary description :

A-B : Line start from Point 'A' on the common boundary of villages Borigaon and Junada and passes through village Borigaon along the outer boundary of plot numbers 78, 103, 104/1, 104/1A, 104/2, 105/1, 122, 121, 107/3, 107/4 and meets at Point 'B' on the common boundary of villages Borigaon and Junada.

B-C-D : Line passes through village Junada along the outer boundary of plot number 43/4 and passes nearby Point 'C' then passes outer boundary of plot number 41 and meets at Point 'D' on common boundary of villages Junada and Pimpalgaon.

D-E : Line passes through village Pimpalgaon along the outer boundary of plot numbers 148, 147, 150/1, 150/2, 150/3, 151/2, 152/2 and meets at Point 'E' on common boundary of villages Pimpalgaon and Junada.

E-F-G-H-A : Line passes through village Junada along the outer boundary of plot numbers 24/2, 24/1, 28 then passes through plot number 31, crosses road, again passes through plot number 57 then passes along the outer boundary of plot numbers 57, 54/1A, 61, 63/2, 71, 70/4, 70/3, 70/2, 70/1B, 70/1A, 68/3, 68/2, 68/1, then passes nearby Point 'G' and again passes along with the outer boundary of plot 68/1, 68/2, 68/3, 68/4, 70/1A, 70/1B, 65, then passes nearby Point 'H' and along with, the outer boundary of plot numbers 64, 63/2, 63/1, 52, 51, and meets at starting Point 'A'.

[F.No. 43015/21/2008- PRIW-I]

M. SHAHABUDDIN, Under Secy.

नई दिल्ली, 12 अगस्त, 2010

का.आ. 2056.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार ने कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का. आ. 368, तारीख 4 फरवरी, 2009, जो भारत के राजपत्र के भाग -II, खंड-3 उपखंड (ii) तारीख 14 फरवरी, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 476.86 हेक्टर (लगभग) या 1778.36 एकड़ (लगभग) है;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विहित उक्त भूमि में कोयला अभिप्राप्त है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि का अर्जन करने की अपने आशय की सूचना देती है। इससे संलग्न अनुसूची में वर्णित 467.21 हेक्टर (लगभग) या 1154.51 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार।

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या सी-1(ई) III/ जेआर/820-0410, तारीख 5 अप्रैल, 2010 को जिला अधिकारी, यवतमाल (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता-700 001 के कार्यालय में या महाप्रबंधक, वेस्टर्न कोल फील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

टिप्पण 2 : कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है :-

अर्जन की बाबत आपत्तियाँ :

"8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिनों के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टाकरण :-

- (1) इस धारा के अधीन यह आपत्ति नहीं मानी जाएगी, कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।
- (2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।
- (3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या किसी ऐसी भूमि में या उस पर कि अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।"

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700 001 को उक्त अधिनियम की धारा 3 के अधीन अधिसूचना सं. का.आ. 2519, तारीख 27 मई, 1983 जो भारत के राजपत्र, भाग-II खंड-3, उपखंड (ii), में 11 जून 1983 को प्रकाशित हुई थी, द्वारा को सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

भटाडी विस्तार ओपनकास्ट खान

चन्द्रपुर क्षेत्र

जिला-चन्द्रपुर (महाराष्ट्र)

[रेखांक संख्या सी-1 (ई) III/जेआर/820-0410, तारीख 5 अप्रैल, 2010]

सभी अधिकार :

क्र. सं.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणियां
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	पायली भटाडी	12	चन्द्रपुर	चन्द्रपुर	270.04	भाग
2.	किटाडी (राय)	12	चन्द्रपुर	चन्द्रपुर	51.14	भाग
3.	चांदलासुर्ला	11	चन्द्रपुर	चन्द्रपुर	68.15	भाग
4.	तिरवजा चक	34	भद्रावती	चन्द्रपुर	77.88	भाग

कुल : 467.21 हेक्टर (लगभग)

या

1154.51 एकड़ (लगभग)

ग्राम पायली भटाडी में अर्जित किए जाने वाले प्लॉट संख्यांक :

44, 45, 46, 47/1, 47/2, 47/3, 47/4, 48, 49, 50, 51, 52, 53, 54, 55, 56/1, 56/2, 59/1, 59/2, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69/1, 69/2क, 69/2ख, 69/3, 70/1, 70/2, 70/3, 70/4, 70/5, 71/1, 71/1ख, 71/2, 71/3, 71/4, 72/1क, 72/2, 72/2बी, 72/3, 73, 74, 75, 76, 77, 78, 79, 80, 81/1, 81/1ए, 81/2, 81/3, 98, 99/1, 99/2, 99/3, 99/4, 99/5, 100, 101/1, 101/2, 102/1, 102/2, 102/3, 113, 114, 115, 116, 117, 118, 119/1, 119/2, 119/3, 123, 124/1, 124/2, 125/1, 125/2, 125/3, 176, 177, 178, 179, 180, 181, 199/1, 200, 201, 202, 203, 204, 205/1, 206 (सरकारी), 206/1, 206/2, 206/3, 206/4, 206/5, 206/6, 206/7, 206/8, 206/9, 206/10, 206/11, 206/12, 206/13, 206/14, 206/15, 206/16, 206/17, 207, 208/1, 209/1, 210, 211, 212, 213, 214/1, 214/2क, 214/3ख, 215, 216/1क, 216/1ख, 216/2, 216/3, 217/1, 217/2, 218, 219/1, 219/2, 220/1, 220/2, 220/3, 220/4क, 220/4ख, 221, 222/1, 222/2, 223/1, 223/2, 224/1, 224/2, 224/3, 224/4, 224/5, 224/6, 224/7, 225, 226/1, 226/1क, 226/1ख, 226/1ग, 226/2क, 226/2ख, 226/2ग, 226/2, 227/1, 228/1, 228/2, 228/3, 229, 230, 231/1, 232, 233, 234, 235/1, 235/2, 236, 237/1, 237/2, 238/1, 238/2, 238/3, 239/1, 239/2, 240/1, 240/2, 241, 242/1, 242/2, 242/3, 242/4, 243, 244, 245, 246/1क,

246/2ख, 247/1, 247/2, 248/1क, 248/2, 248/2ख, 249, 250, 251, (चन), 252, 253, 254, 255 (सरकारी), 256/1, 256/2, 256/3, 256/4, 257/1, 257/2, 258, (सरकारी), 259, 260, 261, 262, 263, 264/1, 264/2, 264/3, 264/4, 265/1, 265/2, 266/1क, 266/1ख, 266/2, 266/3, 266/4, 266/4क, 266/5 (सरकारी), 267/1, 267/2 आबादी (भाग), सड़क (भाग), नदी (भाग), नाला (भाग), ।

ग्राम किटाडी (राय) में अर्जित किए जाने वाले प्लॉट संख्यांक :

18, 19, 20/1, 20/1ख, 20/2, 20/3, 21/1, 21/2, 21/3, 22/1, 22/2, 22/3, 23, 24, 25, 26, 27/1, 27/2, 28, 29, 34/1, 34/2, 34/3, 34/4, 34/5, सड़क (भाग), नाला (भाग), नदी (भाग) ।

ग्राम चंदलासुर्ला में अर्जित किए जाने वाले प्लॉट संख्यांक :

63/1, 63/2, 64, 65, 71/1, 71/2, 71/3, 71/4, 71/5, 71/6, 71/7, 79, 80, 81, 82, 83, 84/1, 84/2, 85, 86/1क, 86/1ख, 86/1ग, 86/2, 87/1, 87/2, 87/3, 88/1, 88/2, 88/3, 89, 90, 91, 92/1क, 92/1ख, 92/2 (सड़क), 93/1, 93/2, (सड़क), 94/1, 94/2 (सड़क), 97, 98/1, 98/2, 99, 100, 101/1, 101/2, 102, 103, 104, 105, नाला (भाग) ।

ग्राम तिरवंजा चक में अर्जित किए जाने वाले प्लॉट संख्यांक :

124/1, 124/2, 124/3, 124/4, 124/5, 135/1, 135/2, 136, 137, 138/1, 138/2, 138/3, 139, 140/1, 140/2, 142/1, 142/2, 142/3, 176/1, 176/2, 177, 178/1, 178/2, 178/3, 191, 192, 193, 194, 195, 196, 197, 198, 199/1, 199/2, 200, 201/1क, 201/1ख, 201/2, 202, 204/1, 204/2, 204/3, 205/1, 205/2, 208।

सीमा वर्णन :

क-ख रेखा बिन्दु "क" से आरंभ होती है और ग्राम तिरवंजा चक के प्लॉट संख्यांक 142/1, 176/1 की बाह्य सीमा से गुजरती है और ग्राम तिरवंजा चक तथा ग्राम पायली भटाडी की सम्मिलित ग्राम सीमा को पार करती हुई ग्राम पायली भटाडी के प्लॉट संख्यांक 52, 51 की बाह्य सीमा के साथ गुजरती है और सड़क पार करती हुई प्लॉट संख्यांक 47/1, 46, 45, 44 की बाह्य सीमा के साथ गुजरती हुई बिन्दु "ख" पर मिलती है ।

ख-ग रेखा ग्राम पायली भटाडी से प्लॉट संख्यांक 44, 70/1, 71/1, 72/1क, 102/1 की बाह्य सीमा से गुजरती हुई सड़क पार करती है और सड़क तथा प्लॉट संख्या 113 की बाह्य सीमा के साथ गुजरती हुई पुनः सड़क पार करती है और प्लॉट संख्यांक 267/1, 266/1क, 266/1ख, 266/2, 266/5 की बाह्य सीमा से गुजरती हुई इराई नदी तथा ग्राम पायली भटाडी एवं ग्राम किटाडी की सम्मिलित ग्राम सीमा को पार करती है और ग्राम किटाडी में प्लॉट संख्यांक 34/1, 34/2, 34/3, 34/4, 34/5 की बाह्य सीमा से गुजरती हुई बिन्दु "ग" पर मिलती है ।

ग-घ रेखा ग्राम किटाडी से प्लॉट संख्यांक 34/5, 29 नाला, 18, 19, 20/1, 20/1ख, 20/3, की बाह्य सीमा से गुजरती हुई नाला पार इराई नदी की बाह्य सीमा के साथ गुजरती हुई बिन्दु "घ" पर मिलती है ।

घ-ड. रेखा ग्राम किटाडी से गुजरती हुई इराई नदी तथा ग्राम किटाडी और ग्राम पायली भटाडी की सम्मिलित ग्राम सीमा को पार करती हुई ग्राम पायली भटाडी में इराई नदी तथा प्लॉट संख्यांक 225, 224/6, 224/7, 223/1, 223/2 की बाह्य सीमा से गुजरती हुई ग्राम पायली भटाडी एवं ग्राम चांदलासुर्ला की सम्मिलित ग्राम सीमा को पार करती हुई ग्राम चांदलासुर्ला से इराई नदी तथा प्लॉट संख्यांक 101/1, 101/2, 102, 103, 104, 105 की बाह्य सीमा से गुजरती हुई बिन्दु "ड" पर मिलती है ।

ड.-च रेखा ग्राम चांदलासुर्ला से प्लॉट संख्यांक 105, 99, 98/2, 97, 94/1, की बाह्य सीमा के साथ रास्ता पार करती हुई प्लॉट संख्यांक 93/1, 63/2, 63/1, 64, 65, 86/2, 86/1ख, 71/6, 71/7 बाह्य सीमा से गुजरती हुई ग्राम चांदलासुर्ला तथा ग्राम तिरवंजा चक की सम्मिलित ग्राम सीमा को पार करती हुई ग्राम तिरवंजा चक के प्लॉट संख्यांक 205/2, 205/1, 208, 200 की बाह्य सीमा से गुजरती हुई बिन्दु "च" पर मिलती है ।

च-छ रेखा ग्राम तिरवंजा चक से सड़क तथा प्लॉट संख्यांक 200, 199/2, 199/1, 198, 197, 196, 195, 124/1, 124/5, की बाह्य सीमा से गुजरती हुई बिन्दु "छ" पर मिलती है ।

छ-ज रेखा ग्राम तिरवंजा चक से सड़क प्लॉट संख्यांक 124/5, 124/4, 191, 192, 193, 202, 204/1 की बाह्य सीमा से गुजरती हुई ग्राम तिरवंजा चक तथा ग्राम चांदलासुर्ला की सम्मिलित ग्राम सीमा को पार करती हुई ग्राम चांदलासुर्ला के प्लॉट संख्यांक 71/1, 71/2, की बाह्य सीमा से गुजरती हुई नाला पार कर प्लॉट संख्यांक 79, 80, 81, 83, 84/1, 84/2, 88/1, की बाह्य सीमा के साथ गुजरती हुई बिन्दु "ज" पर मिलती है ।

ज-झ रेखा ग्राम पायली भटाडी से प्लॉट संख्यांक 202, 201, 200, 199/1, 205/1, 208/1, 209/1 की बाह्य सीमा के साथ गुजरती हुई सड़क पार कर प्लॉट संख्यांक 231/1, 228/1, 228/2, 228/3, 227/1, 266/2क, 226/2ख, 262/2ग, 226/2 तथा इराई नदी की बाह्य सीमा के साथ गुजरती हुई बिन्दु "झ" पर मिलती है ।

- झ-ज रेखा ग्राम पायली भटाडी से प्लॉट संख्यांक 240/2, 239/2, 238/3, 237/2, 237/1, 236, 232 की बाह्य सीमा से गुजरती हुई सड़क पार करती है और प्लॉट संख्यांक 207, 206, 181 की बाह्य सीमा के साथ गुजरती हुई बिन्दु "ज" पर मिलती है।
- ज-ट रेखा ग्राम पायली भटाडी से प्लॉट संख्यांक 181 की बाह्य सीमा से गुजरती हुई सड़क पार करती है और प्लॉट संख्यांक 176, 177, 125/3, 125/2, 125/1, 123 तथा सड़क की बाह्य सीमा से गुजरती हुई प्लॉट संख्या 119/3 को पार करती हुई प्लॉट संख्यांक 98, 99/5, 99/4, 99/3, 99/2, 99/1 की बाह्य सीमा के साथ गुजरती हुई बिन्दु "ट" पर मिलती है।
- ट-ठ रेखा ग्राम पायली भटाडी से प्लॉट संख्यांक 75, 76, 77, 78, 79, 80, 81/1क, 81/3 तथा सड़क एवं प्लॉट संख्यांक 59/2, 59/1, 56/2 की बाह्य सीमा के साथ तथा ग्राम पायली भटाडी एवं ग्राम तिरवंजा चक की सम्मिलित ग्राम सीमा से गुजरती हुई ग्राम तिरवंजा चक के प्लॉट संख्यांक 178/1, 178/2, 178/3, 138/3, 138/1, 137, 136, 135/2 की बाह्य सीमा के साथ गुजरती है और बिन्दु "ठ" पर मिलती है।
- ठ-क रेखा ग्राम तिरवंजा मोकासा और ग्राम तिरवंजा चक की सम्मिलित ग्राम सीमा से गुजरती हुई ग्राम तिरवंजा चक के प्लॉट संख्यांक 135/2, 135/1, 140/2, 140/1, 142/3, 142/2, 142/1, की बाह्य सीमा के साथ गुजरती हुई आरंभिक बिन्दु "क" पर मिलती है।

[फा.सं. 43015/27/2008-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 12th August, 2010

S.O. 2056.—Whereas, by the notification of the Government of India in the Ministry of Coal number S. O. 368 dated the 11th February, 2009, issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part - II, Section - 3, sub-section (ii) dated the 14th February, 2009, the Central Government gave notice of its intention to prospect for coal in 476.86 hectares (approximately) or 1178.36 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And, whereas, the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 the Central Government hereby gives notice of its intention to acquire the lands measuring 467.21 hectares (approximately) or 1154.51 acres (approximately) in all rights as described in the Schedule appended hereto.

Note 1: The plan bearing number C-1(E)III/JR/820- 0410 dated the 5th April, 2010 of the area covered by this notification may be inspected at the office of the Collector, Chandrapur (Maharashtra) or at the office of the Coal Controller, 1, Council House Street, Kolkata (Pin- 700001) or at the office of the General Manager, Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur - 440001 (Maharashtra).

Note 2: Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows : —

Objections to Acquisition:

*8(1) Any person interested in any land in respect of which a notification under section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation:

- (1) It shall not be an objection within the meaning of this Section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of proceedings held by him, for the decision of that Government.

- (3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3 : The Coal Controller, 1, Council House Street, Kolkata- 700 001 has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 2519 dated the 27th May, 1983, published in Part- II, Section 3, sub-section (ii) of the Gazette of India, dated the 11th June, 1983.

SCHEDULE

BHATADI EXPANSION OPENCAST MINE

CHANDRAPUR AREA

DISTRICT CHANDRAPUR (MAHARASHTRA)

(Plan Number C-I(E)III/JR/820-0410 dated the 5th April, 2010)

ALL RIGHTS:

Sl. No.	Name of village	Patwari Circle number	Tahsil	District	Area in Hectares	Remarks
1.	Paili Bhatadi	12	Chandrapur	Chandrapur	270.04	Part
2.	Kitadi (Rai)	12	Chandrapur	Chandrapur	51.14	Part
3.	Chandlasurla	11	Chandrapur	Chandrapur	68.15	Part
4.	Tirwanja Chak	34	Bhadravati	Chandrapur	77.88	Part

Total: 467.21 hectares

(approximately)

or

1154.51 acres

(approximately)

Plot numbers to be acquired in village Paili Bhatadi:

44, 45, 46, 47/1, 47/2, 47/3, 47/4, 48, 49, 50, 51, 52, 53, 54, 55, 56/1, 56/2, 59/1, 59/2, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69/1, 69/2A, 69/2B, 69/3, 70/1, 70/2, 70/3, 70/4, 70/5, 71/1, 71/1B, 71/2, 71/3, 71/4, 72/1A, 72/2, 72/2B, 72/3, 73, 74, 75, 76, 77, 78, 79, 80, 81/1, 81/1A, 81/2, 81/3, 98, 99/1, 99/2, 99/3, 99/4, 99/5, 100, 101/1, 101/2, 102/1, 102/2, 102/3, 113, 114, 115, 116, 117, 118, 119/1, 119/2, 119/3, 123, 124/1, 124/2, 125/1, 125/2, 125/3, 176, 177, 178, 179, 180, 181, 199/1, 200, 201, 202, 203, 204, 205/1, 206 (Govt.), 206/1, 206/2, 206/3, 206/4, 206/5, 206/6, 206/7, 206/8, 206/9, 206/10, 206/11, 206/12, 206/13, 206/14, 206/15, 206/16, 206/17, 207, 208/1, 209/1, 210, 211, 212, 213, 214/1, 214/2A, 214/3B, 215, 216/1A, 216/1B, 216/2, 216/3, 217/1, 217/2, 218, 219/1, 219/2, 220/1, 220/2, 220/3, 220/4A, 220/4B, 221, 222/1, 222/2, 223/1, 223/2, 224/1, 224/2, 224/3, 224/4, 224/5, 224/6, 224/7, 225, 226/1, 226/1A, 226/1B, 226/1C, 226/2A, 226/2B, 226/2C, 226/2, 227/1, 228/1, 228/2, 228/3, 229, 230, 231/1, 232, 233, 234, 235/1, 235/2, 236, 237/1, 237/2, 238/1, 238/2, 238/3, 239/1, 239/2, 240/1, 240/2, 241, 242/1, 242/2, 242/3, 242/4, 243, 244, 245, 246/1A, 246/2B, 247/1, 247/2, 248/1A, 248/2, 248/2B, 249, 250, 251 (Forest), 252, 253, 254, 255 (Govt.), 256/1, 256/2, 256/3, 256/4/ 257/1, 257/2, 258 (Govt.) 259, 260, 261, 262, 263, 264/1, 264/2, 264/3, 264/4, 265/1, 265/2, 266/1A, 266/1B, 266/2, 266/3, 266/4, 266/4A, 266/5 (Govt.), 267/1, 267/2, Abadi (Part), Road (Part), River (Part), Nallah (Part).

Plot numbers to be acquired in village Kitadi (Rai):

18, 19, 20/1, 20/1B, 20/2, 20/3, 21/1, 21/2, 21/3, 22/1, 22/2, 22/3, 23, 24, 25, 26, 27/1, 27/2, 28, 29, 34/1, 34/2, 34/3, 34/4, 34/5, Road (Part), Nallah, (Part), River (Part).

Plot numbers to be acquired in village Chandlasurla :

63/1, 63/2, 64, 65, 71/1, 71/2, 71/3, 71/4, 71/5, 71/6, 71/7, 79, 80, 81, 82, 83, 84/1, 84/2, 85, 86/1A, 86/1B, 86/1C, 86/2, 87/1, 87/2, 87/3, 88/1, 88/2, 88/3, 89, 90, 91, 92/1A, 92/1B, 92/2 (Road), 93/1, 93/2 (Road), 94/1, 94/2 (Road), 97, 98/1, 98/2, 99, 100, 101/1, 101/2, 102, 103, 104, 105, Nallah (Part).

Plot numbers to be acquired in village Tirwanja Chak:

124/1, 124/2, 124/3, 124/4, 124/5, 135/1, 135/2, 136, 137, 138/1, 138/2, 138/3, 139, 140/1, 140/2, 142/1, 142/2, 142/3, 176/1, 176/2, 177, 178/1, 178/2, 178/3, 191, 192, 193, 194, 195, 196, 197, 198, 199/1, 199/2, 200, 201/1A, 201/1B, 201/2, 202, 204/1, 204/2, 204/3, 205/1, 205/2, 208.

BOUNDARY DESCRIPTION:

- A'-'B':** Line starts from Point 'A' and passes in village Tirwanja Chak, along the outer boundary of plot numbers 142/1, 176/1, and crosses the common village boundary of villages Tirwanja Chak and Paili Bhatadi then proceeds through village Paili Bhatadi and passes along the outer boundary of plot numbers 52, 51, crosses road, then proceed along with the outer boundary of plot numbers 47/1, 46, 45, 44 and meets at Point 'B'.
- 'B'-'C':** Line passes through village Paili Bhatadi along the outer, boundary of plot numbers 44, 70/1, 71/1, 72/1A, 102/1, crosses road then passes along the outer boundary of road and plot number 113, crosses road then passes along with the outer boundary of plot numbers 267/1, 266/1A, 266/1B, 266/2, 266/5 and crosses the Erai River and common village boundary of villages Paili Bhatadi and Kitadi then passes through village Kitadi along the outer boundary of plot numbers 34/1, 34/2, 34/3, 34/4, 34/5 and meets at Point 'C'.
- 'C'-'D':** Line passes through village Kitadi along the road and outer boundary of plot numbers 34/5, 29, Nallah, 18, 19, 20/1, 20/1B, 20/3 and then cross the Nallah and passes along the outer boundary of Erai River and meets at Point 'D'.
- 'D'-'E':** Line passes through village Kitadi and crosses the Erai River and common village boundary of villages Kitadi and Paili Bhatadi then passes through village Paili Bhatadi along the outer boundary of Erai River and plot numbers 225, 224/6, 224/7, 223/1, 223/2, then crosses the common village boundary of villages Paili Bhatadi and Chandlasurla then passes through village Chandlasurla along the outer boundary of Erai River and plot numbers 101/1, 101/2, 102, 103, 104, 105 and meets at Point 'E'.
- 'E'-'F':** Line passes through village Chandlasurla along the outer boundary of plot numbers 105, 99, 98/2, 97, 94/1, cross road along the plot numbers 93/1, 63/2, 63/1, 64, 65, 86/2, 86/1B, 71/6, 71/7, then crosses common village boundary of villages Chandlasurla and Tirwanja Chak then passes through village Tirwanja Chak along the outer boundary of plot numbers 205/2, 205/1, 208, 200 and meets at Point 'F'.
- 'F'-'G':** Line passes through village Tirwanja Chak along the outer boundary of road and plot numbers 200, 199/2, 199/1, 198, 197, 196, 195, 124/1, 124/5 and meets at Point 'G'.
- 'G'-'H':** Line passes through village Tirwanja Chak along the outer boundary of plot numbers 124/5, 124/4, 191, 192, 193, 202, 204/1, then crosses the common village boundary of villages Tirwanja Chak and Chandlasurla then passes through village Chandlasurla along the outer boundary of the plot numbers 71/1, 71/2, cross Nallah then passes along the outer boundary of plot numbers 79, 80, 81, 83, 84/1, 84/2, 88/1 and meets at Point 'H'.
- 'H'-'I':** Line passes through village Paili Bhatadi along the outer boundary of plot numbers 202, 201, 200, 199/1, 205/1, 208/1, 209/1, crosses road then passes along with the outer boundary of plot numbers 231/1, 228/1, 228/2, 228/3, 227/1, 226/2A, 226/2B, 226/2C, 226/2 and outer boundary of Erai River and meets at Point 'I'.
- 'I'-'J':** Line passes through village Paili Bhatadi along the outer boundary of plot numbers 240/2, 239/2, 238/3, 237/2, 273/1, 236, 232, crosses the road then proceed along with the outer boundary of plot numbers 207, 206, 181 and meets at Point 'J'.
- 'J'-'K':** Line passes through village Paili Bhatadi along the outer boundary of plot number 181, crosses road, then passes along with the outer boundary of plot numbers 176, 177, 125/3, 125/2, 125/1, 123, and road, then passes through plot number 119/3 and along with the outer boundary of plot numbers 98, 99/5, 99/4, 99/3, 99/2, 99/1 and meets at Point 'K'.
- 'K'-'L':** Line passes through village Paili Bhatadi along the outer boundary of plot numbers 75, 76, 77, 78, 79, 80, 81/1A, 81/3, Road, 59/2, 59/1, 56/2 and along the common village boundary of villages Paili Bhatadi and Tirwanja Chak and then passes through village Tirwanja Chak along the outer boundary of plot numbers 178/1, 178/2, 178/3, 138/3, 138/1, 137, 136, 135/2 and meets at Point 'L'.
- 'L'-'A':** Line passes along the common village boundary of villages Tirwanja Mokasa and Tirwanja Chak then passes through village Tirwanja Chak along the outer boundary of plot numbers 135/2, 135/1, 140/2, 140/1, 142/3, 142/2, 142/1 and meets at starting Point 'A'.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 16 अगस्त, 2010

का.आ. 2057.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन” बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में श्री दिलीप कुमार अग्रवाल, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना, एन-17, सेक्टर 2, अवन्ति विहार, रायपुर-492006 (छत्तीसगढ़) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील-बसना	जिला-महासमुंद	राज्य-छत्तीसगढ़			
क्रम सं.	गांव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6
1	सिंघनपुर	931	00	3	64
		910	00	02	71
		909	00	03	69
		908	00	10	15
		905	00	02	66
		907	00	03	21
		906	00	03	67
		923	00	06	45
		902	00	01	26
		901/3	00	02	67
		901/4	00	06	68
		897	00	08	05

1	2	3	4	5	6
	सिंघनपुर	896	00	00	10
	--जारी	894	00	09	26
		892	00	08	33
		890	00	07	09
		886	00	13	75
		883	00	00	10
		847	00	02	39
		955	00	11	54
		962	00	06	74
		964	00	01	86
		966	00	01	77
		965	00	03	21
		968	00	12	42
		986	00	01	34
		985	00	08	89
		991	00	05	42
		993	00	10	17
		1001	00	07	88
		1002	00	00	10
		1017	00	03	88
		1016	00	04	80
		1023	00	09	67
		1037	00	02	96
		1036	00	04	22
		1045	00	07	56
		1051	00	05	38
		1050	00	17	57
		1064	00	06	44
		1083	00	14	38
		1081	00	04	67
		1082	00	00	33
		1080	00	10	52
		382	00	03	74
		387	00	05	62
		388	00	04	59
		414	00	00	76
		413	00	04	10
		389	00	01	21
		412	00	03	74
		398	00	06	64
		399	00	04	22
		400	00	03	94
		401	00	08	32
		402	00	01	94
		367	00	11	86
		368	00	01	26
		356	00	12	15
		357	00	03	61
		358	00	04	58
		353	00	05	55

1	2	3	4	5	6	1	2	3	4	5	6
	सिधनपुर	352	00	02	10		सिधनपुर	1370	00	06	59
	—जारी	354	00	00	20		—जारी	1369	00	00	62
		311	00	11	28			1394	00	05	47
		310	00	08	00			1705	00	02	70
		312	00	04	75	2	गौरटेक	1706	00	04	36
		300	00	06	96			1707	00	00	10
		275	00	03	34			1714	00	00	63
		274	00	00	10			1713	00	13	47
		257	00	10	10			1710	00	03	26
		258	00	04	80			1712	00	04	51
		261	00	00	15			1710/1718	00	00	98
		260	00	02	60			1711	00	03	13
		266	00	04	86			1680	00	01	70
		269	00	00	10			1679	00	00	91
		268	00	00	10			1676	00	01	12
		267	00	02	81			1672	00	12	40
		265	00	00	78			1671	00	00	57
		264	00	05	32			1670	00	10	75
		244	00	10	65			1650	00	09	03
		243	00	04	63			1648	00	00	10
		242	00	08	56			1649	00	05	79
		241	00	05	62			1651	00	00	23
		1333	00	01	01			1652	00	00	91
		239	00	06	46			1647	00	08	19
		240	00	00	53			831	00	07	97
		237	00	01	54			832	00	18	71
		238	00	08	73			833	00	03	83
		226	00	09	37			827	00	02	68
		1334	00	00	31			835	00	15	87
		1337	00	02	88			836	00	14	79
		1338	00	05	38			822	00	05	90
		1339	00	04	59			819	00	00	10
		1340	00	06	41			818	00	07	96
		1344/2	00	04	23			817	00	00	10
		1343	00	01	68			816	00	15	00
		1346	00	13	71			815	00	06	05
		1347	00	04	55			814	00	04	37
		1348	00	08	33			813	00	03	19
		1376	00	05	15			800	00	07	42
		1375	00	10	49			794	00	06	95
		1361	00	04	18			716	00	08	71
		1374	00	06	78			718	00	00	79
		1362	00	00	10			717	00	09	12
		1363	00	01	92			719	00	00	10
		1364	00	01	19			713	00	05	42
		1365	00	03	06			712	00	18	24
		1373	00	00	10			711	00	00	10
		1366	00	06	00			614	00	02	38
		1371	00	06	93			619	00	00	99

1	2	3	4	5	6	1	2	3	4	5	6
	गौरटेक	615	00	00	10		जगत -जारी	161	00	02	08
	-जारी	618	00	09	15			164	00	04	51
		560	00	00	50			165	00	06	59
		616	00	09	73			166	00	00	10
		559	00	08	44			167	00	08	51
		558	00	01	17			318	00	17	41
		633	00	06	05			317	00	05	94
		628	00	03	91			316	00	00	10
		629	00	04	78			314	00	00	38
		631	00	00	56			313	00	06	23
		630	00	18	54			312	00	00	38
3.	बोहारपार	208	00	05	97			311	00	02	59
		207	00	00	10			169	00	01	02
4.	संकरी	1514	00	11	10			308	00	11	33
		1508	00	14	62			170	00	13	63
		1507	00	09	57			56/3	00	00	60
		1506	00	07	56			50	00	05	71
		1504	00	06	17			49	00	06	08
		1505	00	01	96			51	00	02	03
		1503	00	07	58			48	00	01	23
		1500	00	02	56			47	00	04	61
		1501	00	03	53			46	00	04	87
		1502	00	05	32			45	00	02	91
		1456	00	00	20			44	00	02	24
		1457	00	03	90			173	00	04	26
		1458	00	11	14			177	00	00	60
		1459/2	00	00	10			178	00	26	15
		1463	00	07	54			246	00	08	10
		1462	00	03	73'			247	00	00	10
		1444	00	11	96			245	00	13	21
		1472	00	05	43			244/3	00	04	01
		1476	00	00	61			244/2	00	07	14
		1477	00	02	14			252	00	18	97
		1481	00	04	39			251	00	03	31
		1479	00	00	16			236/2	00	01	10
		1480	00	08	87			235/3	00	06	06
		953	00	01	89			236/1	00	00	38
		1482	00	00	40			235/2	00	03	45
		952	00	04	46			235/1	00	05	24
		950	00	05	43			211	00	00	42
		948	00	14	99			234	00	05	18
5.	जगत	334/1	00	04	26			215/2	00	03	12
		158	00	00	29			216	00	10	64
		159	00	13	54			224	00	00	10
		160	00	07	56			220	00	05	23
		162	00	00	44			219	00	08	90
		163	00	04	59			217	00	00	10
								218/2	00	05	13
								218/1	00	10	36
								223	00	00	30

1	2	3	4	5	6	1	2	3	4	5	6
6.	जोगीपाली	754	00	07	14		पठियापाली	217/6	00	12	70
		753	00	09	46		—जारी	217/2	00	05	35
		311	00	00	50			217/4	00	01	65
		310	00	00	21			260	00	01	70
7.	पौंसरा	194	00	01	21			212	00	01	17
		649	00	00	48			213	00	03	49
		193	00	07	05			214	00	06	42
		192	00	05	56			215	00	10	51
		191	00	00	54			196	00	06	06
		189	00	16	41			194	00	05	17
		188	00	00	84			193	00	05	46
		181	00	01	12			192	00	07	10
		180	00	00	87			186	00	06	56
8.	पठियापाली	656	00	03	39			190	00	06	02
		657	00	02	86			181	00	14	95
		658	00	08	89			168	00	13	29
		653	00	02	30			167	00	11	74
		659	00	18	59			162	00	10	32
		661	00	00	10			121	00	01	27
		662	00	00	70			161	00	12	34
		663	00	07	27	9.	जलकोट	24	00	02	51
		664	00	10	86			22/2	00	00	12
		670	00	14	20			23	00	14	99
		672	00	15	33			9	00	05	12
		686	00	02	52			1	00	00	37
		685	00	01	56			2	00	26	72
		684	00	01	64			3	00	06	66
		673	00	05	46	10.	हबेकांटा	499	00	08	48
		683	00	04	08			498	00	14	16
		676	00	17	26			304	00	02	76
		680	00	06	54			305	00	18	64
		678	00	00	60			497	00	03	53
		679	00	05	68			496	00	06	53
		687	00	00	10			495	00	04	34
		574	00	09	72			491	00	02	57
		573	00	01	36			308	00	13	65
		569	00	00	15			390	00	03	24
		262	00	00	10			311	00	26	80
		259	00	16	99			319	00	02	30
		237	00	03	34			318	00	16	89
		258	00	06	29			320	00	06	97
		250	00	04	18			363	00	19	93
		252	00	00	26			369	00	06	31
		254	00	07	38			371	00	06	66
		253	00	01	77			373	00	00	34
		217/3	00	03	38			374	00	04	50

1	2	3	4	5	6	1	2	3	4	5	6
10.	हबेकांटा	375	00	00	10	13.	बरगांव	194	00	10	09
		381	00	05	36			193	00	11	66
		380	00	03	98			182	00	02	86
		383	00	00	48			184	00	09	15
		384	00	07	28			185	00	09	84
		418	00	05	24			186	00	03	98
		401	00	16	94			187	00	02	66
		416	00	04	76			188	00	00	30
11.	बिटांगीपाली	12	00	05	83			161	00	01	72
		11	00	04	68			160	00	04	89
		19	00	05	28			159	00	08	14
		20	00	06	27	14.	खटखटी	429	00	01	68
		18	00	00	10			428	00	07	12
		21	00	06	89			419	00	04	25
		22	00	10	36			420	00	11	43
		31	00	01	62			421	00	03	97
		30	00	04	22			416	00	13	72
		23	00	00	55			414	00	06	91
		29	00	04	49			158	00	02	54
		28	00	05	39			164	00	00	77
		27	00	04	29			168	00	07	24
		37	00	01	14			161	00	02	87
12.	पदरडीह	107	00	24	46			163	00	02	07
		108/3	00	13	30			154	00	04	67
		89	00	03	39			155	00	00	10
		88	00	16	59			153	00	09	16
		108/2	00	05	95			152	00	04	37
		108/1	00	04	14			151	00	04	05
		110	00	03	26			150	00	11	41
		86	00	02	37			144	00	05	87
		111	00	01	05			145	00	18	52
		82/1	00	04	39			146	00	11	37
		82/2	00	07	16			140	00	00	33
		82/3	00	07	50			132	00	00	10
		82/4	00	09	78			131	00	10	98
		81	00	02	80			130	00	06	68
		78	00	03	53			129	00	05	57
		79	00	08	52			128	00	03	16
		77	00	09	59			127	00	05	91
		69/2	00	06	57			126	00	01	58
		70	00	20	96			59	00	03	25
		59/2	00	07	67			437/417	00	02	00
		58	00	16	71			27	00	06	68
		29	00	03	21			28	00	04	85
		24	00	07	78			29/1	00	02	68
		23	00	15	59			25	00	02	25
		22	00	00	10			23	00	20	97
		19/1	00	24	52			22	00	01	34
		19/2	00	04	31			221	00	02	55

1	2	3	4	5	6	1	2	3	4	5	6
14.	खटखटी	21	00	11	62		खेमडा	331	00	06	36
		222	00	17	12			335	00	00	12
		224	00	08	36			339	00	01	72
		225	00	07	73			340/3	00	08	25
		7	00	20	92			341	00	06	41
		8	00	18	03			342	00	14	55
		3	00	05	39			343	00	07	17
		2/3	00	03	05			346/2	00	01	22
		2/2	00	14	88			341	00	15	73
		2/1	00	01	80			348	00	09	48
		162	00	00	10			351	00	01	62
15.	खेमडा	870	00	03	43			355	00	12	06
		869	00	10	04			354	00	06	56
		867	00	00	10			363	00	19	93
		868	00	07	46			368/2	00	00	86
		865	00	04	77			369	00	04	36
		864	00	01	19			370	00	09	52
		863	00	00	99			386	00	02	23
		862	00	05	25			382	00	04	33
		861	00	00	35			385	00	08	96
		842	00	03	05			384	00	00	42
		848	00	11	47			392	00	04	47
		851	00	00	71			393	00	05	06
		847	00	00	27			398	00	06	64
		846	00	03	06			397	00	07	59
		845	00	03	55			396	00	06	45
		843	00	06	02			399	00	00	10
		799	00	11	11			437	00	01	3
		798	00	06	93			400	00	00	46
		797	00	08	95			425	00	11	59
		754	00	02	17			424	00	02	19
		753	00	15	45			426	00	01	18
		752	00	03	34			423	00	01	25
		751	00	08	63			427	00	10	74
		253	00	03	93	16.	जीराडबरी	951	00	08	60
		309	00	06	91			950	00	10	01
		318	00	01	60			949	00	07	38
		310	00	18	11			948	00	11	55
		308	00	06	48			940	00	03	05
		319	00	00	72			941	00	14	85
		321	00	00	61			938	00	20	62
		322	00	00	40			937	00	08	13
		323	00	00	50			936	00	20	06
		324	00	00	69			699	00	01	26
		307	00	06	69						
		282	00	00	10						

[सं. आर-25011/19/2010-ओ.आर.-1]

बी. के. दत्ता, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

NOTIFICATION

New Delhi, the 16th August, 2010

S.O. 2057.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand), a "Paradip- Sambalpur - Raipur - Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the General Public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Sri Dilip Kumar Agarwal, Competent Authority, Indian Oil Corporation Limited, Paradip - Sambalpur-Raipur- Ranchi Pipeline Project, N-17, Sector-2, Avanti Vihar, Raipur-492006, Chhattisgarh.

SCHEDULE

Tehsil : Basna District : Mahasamund State : Chhattisgarh

Sr. No.	Name of the Village	Khasara No.	Area Hectare	Sq. mtr.
1	2	3	4	5
1.	Singhnpur	931	00	03
		910	00	02
		909	00	03
		908	00	10
		905	00	02
		907	00	03
		906	00	03
		923	00	06
		902	00	01
		901/3	00	02
		901/4	00	06
		897	00	08
		896	00	00
		894	00	09
		892	00	08

1	2	3	4	5	6
1	Singhnpur	890	00	07	09
		886	00	13	75
		883	00	00	10
		847	00	02	39
		955	00	11	54
		962	00	06	74
		964	00	01	86
		966	00	01	77
		965	00	03	21
		968	00	12	42
		986	00	01	34
		985	00	08	89
		991	00	05	42
		993	00	10	17
		1001	00	07	88
		1002	00	00	10
		1017	00	03	88
		1016	00	04	80
		1023	00	09	67
		1037	00	02	96
		1036	00	04	22
		1045	00	07	56
		1051	00	05	38
		1050	00	17	57
		1064	00	06	44
		1083	00	14	38
		1081	00	04	67
		1082	00	00	33
		1080	00	10	52
		382	00	03	74
		387	00	05	62
		388	00	04	59
		414	00	00	76
		413	00	04	10
		389	00	01	21
		412	00	03	74
		398	00	06	64
		399	00	04	22
		400	00	03	94
		401	00	08	32
		402	00	01	94
		367	00	11	86
		368	00	01	26
		356	00	12	15
		357	00	03	61
		358	00	04	58
		353	05	05	55
		352	00	02	10
		354	00	00	20
		311	00	11	28

1	2	3	4	5	6	1	2	3	4	5	6
1.	Singhpur	310	00	08	00	2.	Gourtak	1705	00	02	70
		312	00	01	75			1706	00	04	36
		300	00	05	95			1707	00	00	30
		275	00	05	34			1714	00	00	63
		274	00	00	10			1713	00	13	47
		257	00	10	10			1710	00	03	26
		258	00	04	80			1712	00	04	51
		251	00	00	15			1710/1718	00	00	93
		260	00	02	60			1711	00	03	13
		266	00	01	86			1680	00	01	70
		269	00	00	10			1679	00	00	01
		268	00	00	10			1676	00	01	17
		267	00	02	81			1672	00	12	40
		265	00	00	73			1671	00	00	57
		264	00	05	32			1670	00	10	75
		244	00	10	65			1650	00	09	03
		243	00	04	63			1648	00	00	10
		242	00	08	56			1649	00	05	79
		241	00	05	62			1651	00	00	23
		1333	00	01	01			1652	00	00	91
		239	00	06	46			1647	00	08	19
		240	00	00	53			831	00	07	97
		237	00	01	54			832	00	18	71
		238	00	08	73			833	00	03	83
		226	00	00	37			827	00	02	68
		1334	00	00	31			835	00	15	87
		1337	00	02	28			836	00	14	79
		1338	00	05	38			822	00	05	90
		1339	00	04	59			819	00	00	10
		1340	00	06	41			818	00	07	96
		1344/2	00	01	23			817	00	00	10
		1343	00	01	68			816	00	15	00
		1346	00	13	71			815	00	06	05
		1347	00	04	55			814	00	04	37
		1348	00	08	33			813	00	03	19
		1376	00	05	15			800	00	07	42
		1375	00	10	49			794	00	06	95
		1361	00	04	18			716	00	08	71
		1374	06	06	78			718	00	00	79
		1362	00	00	10			717	00	09	12
		1363	00	01	22			719	00	00	10
		1364	00	01	19			713	00	05	42
		1365	00	03	06			712	00	18	24
		1373	00	00	10			711	00	00	10
		1366	00	06	00			614	00	02	38
		1371	00	06	93			619	00	00	99
		1370	00	06	50			615	00	00	10
		1369	00	00	62			618	00	09	15
		1394	00	05	47			560	00	00	50
								616	00	09	73

1	2	3	4	5	6	1	2	3	4	5	6
7.	Pounsara	194	00	01	21		Pathiyapali	260	00	01	70
		649	00	00	48			212	00	01	17
		193	00	07	05			213	00	03	49
		192	00	05	56			214	00	06	42
		191	00	00	54			215	00	10	51
		189	00	16	41			196	00	06	06
		188	00	00	84			194	00	05	17
		181	00	01	12			193	00	05	46
		180	00	00	87			192	00	07	10
8.	Pathiyapali	656	00	03	39			186	00	06	56
		657	00	02	86			190	00	06	02
		658	00	08	89			181	00	14	95
		653	00	02	30			168	00	13	29
		659	00	18	59			167	00	11	74
		661	00	00	10			162	00	10	32
		662	00	00	70			121	00	01	27
		663	00	07	27			161	00	12	34
		664	00	10	86	9.	Jalkot	24	00	02	51
		670	00	14	20			22/2	00	00	12
		672	00	15	33			23	00	14	99
		686	00	02	52			9	00	05	12
		685	00	01	56			1	00	00	37
		684	00	01	64			2	00	26	72
		673	00	05	46			3	00	06	66
		683	00	04	08	10.	Habekanta	499	00	08	48
		676	00	17	26			498	00	14	16
		680	00	06	54			304	00	02	76
		678	00	00	60			305	00	18	64
		679	00	05	68			497	00	03	53
		687	00	00	10			496	00	06	53
		574	00	09	72			495	00	04	34
		573	00	01	36			491	00	02	57
		569	00	00	15			308	00	13	65
		262	00	00	10			390	00	03	24
		259	00	16	99			311	00	26	80
		262	00	00	10			319	00	02	30
		259	00	16	99			318	00	16	89
		237	00	03	34			320	00	06	97
		258	00	06	29			363	00	19	93
		250	00	04	18			369	00	06	31
		252	00	00	26			371	00	06	66
		254	00	07	38			373	00	00	34
		253	00	01	77			374	00	04	50
		217/3	00	03	38			375	00	00	10
		217/6	00	12	70			381	00	05	36
		217/2	00	05	35			380	00	03	98
		217/4	00	01	65			383	00	00	48

1	2	3	4	5	6	1	2	3	4	5	6
10.	Habekanta	384	00	07	28		Bargaon	182	00	02	86
		418	00	05	24			184	00	09	15
		401	00	16	94			185	00	09	84
		416	00	04	76			186	00	03	98
11.	Bitangipali	12	00	05	83			187	00	02	66
		11	00	04	68			188	00	00	30
		19	00	05	28			161	00	01	72
		20	00	06	27			160	00	04	89
		18	00	00	10			159	00	08	14
		21	00	06	89	14.	Khatkhathi	429	00	01	68
		22	00	10	36			428	00	07	12
		31	00	01	62			419	00	04	25
		30	00	04	22			420	00	11	43
		23	00	00	55			421	00	03	97
		29	00	04	49			416	00	13	72
		28	00	05	39			414	00	06	91
		27	00	04	29			158	00	02	54
		37	00	01	14			164	00	00	77
12.	Padardih	107	00	24	46			168	00	07	24
		108/3	00	13	30			161	00	02	87
		89	00	03	39			163	00	02	07
		88	00	16	59			154	00	04	67
		108/2	00	05	95			155	00	00	10
		108/1	00	04	14			153	00	09	16
		110	00	03	26			152	00	04	37
		86	00	02	37			151	00	04	05
		111	00	01	05			150	00	11	41
		82/1	00	04	39			144	00	05	87
		82/2	00	07	16			145	00	18	52
		82/3	00	07	50			146	00	11	37
		82/4	00	09	78			140	00	00	33
		81	00	02	80			132	00	00	10
		78	00	03	53			131	00	10	98
		79	00	08	52			130	00	06	68
		77	00	09	59			129	00	05	57
		69/2	00	06	57			128	00	03	16
		70	00	20	96			127	00	05	91
		59/2	00	07	67			126	00	01	58
		58	00	16	71			59	00	03	25
		29	00	03	21			437/417	00	02	00
		24	00	07	78			27	00	06	68
		23	00	15	59			28	00	04	85
		22	00	00	10			29/1	00	02	68
		19/1	00	24	52			25	00	02	25
		19/2	00	04	31			23	00	20	97
13.	Bargaon	194	00	10	09			22	00	01	34
		193	00	11	66			221	00	02	55
								21	00	11	62

1	2	3	4	5	6	1	2	3	4	5	6
14.	Khatkhati	222	00	17	12		Khemda	282	00	00	10
		224	00	08	36			331	00	00	36
		225	00	07	73			335	00	00	12
		7	00	20	92			339	00	01	72
		8	00	18	03			340/3	00	08	28
		3	00	05	39			341	00	06	41
		2/3	00	03	05			342	00	14	55
		2/2	00	14	88			343	00	07	17
		2/1	00	01	80			346/2	00	01	22
		162	00	00	10			341	00	15	73
15.	Khemda	870	00	03	43			348	00	09	48
		869	00	10	04			351	00	01	62
		867	00	00	10			355	00	12	06
		868	00	07	46			354	00	06	56
		865	00	04	77			363	00	19	93
		864	00	01	19			368/2	00	00	86
		863	00	00	99			369	00	04	36
		862	00	05	25			370	00	09	52
		861	00	00	35			386	00	02	23
		842	00	03	05			382	00	04	33
		848	00	11	47			385	00	08	96
		851	00	00	71			384	00	00	42
		847	00	00	27			392	00	04	47
		846	00	03	06			393	00	05	06
		845	00	03	55			398	00	06	64
		843	00	06	02			397	00	07	59
		799	00	11	11			396	00	06	45
		798	00	06	93			399	00	00	10
		797	00	08	95			437	00	01	83
		754	00	02	17			400	00	00	46
		753	00	15	45			425	00	11	59
		752	00	03	34			424	00	02	19
		751	00	08	63			426	00	01	18
		253	00	03	93			423	00	01	25
		309	00	06	91			427	00	10	74
		318	00	01	60	16.	Jeeradabri	951	00	08	60
		310	00	18	11			950	00	10	01
		308	00	06	48			949	00	07	38
		319	00	00	72			948	00	11	55
		321	00	00	61			940	00	03	05
		322	00	00	40			941	00	14	85
		323	00	00	50			938	00	20	62
		324	00	00	69			937	00	08	13
		307	00	06	69			936	00	20	06
								699	00	01	26

[No. R-25011/19/2010 OR-I]

B. K. DATTA, Under Secy.

नई दिल्ली, 16 अगस्त, 2010

का.आ. 2058.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन” बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में श्री दिलीप कुमार अग्रवाल, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना, एन-17, सेक्टर 2, अवन्ति बिहार, रायपुर-492006 (छत्तीसगढ़) को लिखित रूप में आशेष भेज सकेगा।

अनुसूची

तहसील-बसना		जिला-महासमुंद		राज्य-छत्तीसगढ़	
			क्षेत्रफल		
क्रम सं.	गांव का नाम	खसरा सं.	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1.	उमरिया	1329	00	00	77
2.	कोलियारीडीह	715	00	09	21
		710	00	31	82
		711	00	01	18
		456	00	35	13
		443	00	50	63
		415	00	10	15
		418	00	01	45
		430	00	28	64
		435	00	00	42
		436	00	06	75
		403	00	01	31
		384	00	10	44
		381	00	04	79
		379	00	04	75

1	2	3	4	5	6
	कोलियारीडीह	369	00	12	78
		367	00	02	43
		370	00	00	10
		364	00	15	65
		357	00	08	76
		358	00	03	48
		359	00	07	54
		114	00	00	17
		360	00	08	51
3.	मेढापाली	803	00	19	53
		761	00	09	34
		760	00	03	04
		749	00	00	33
		750	00	23	15
		741	00	12	82
		742	00	01	67
		740	00	11	63
		501	00	12	02
		458	00	16	05
		457	00	04	83
		448	00	06	73
		449	00	07	12
		442	00	00	10
		441	00	01	57
		451	00	01	82
		440	00	03	28
		438	00	05	28
		439	00	06	95
		437	00	05	25
		391	00	08	95
		208	00	10	34
		211	00	13	58
		215	00	34	68
		210	00	00	66
		218	00	00	17
		276	00	17	50
		277	00	07	61
		278	00	05	20
		273	00	06	91
		272	00	06	73
		271	00	01	54
		270	00	08	59
		268	00	00	48
		263	00	06	00
		269	00	04	45
		234	00	15	86
		235	00	08	09
		237	00	04	85
4.	पिलवापाली	963	00	02	44
		964	00	10	45
		967	00	04	44
		965	00	00	10
		966	00	05	50

1	2	3	4	5	6	1	2	3	4	5	6
	पिलवापाली	968	00	15	50		पिलवापाली	42	00	02	72
	—जारी	969	00	01	09		—जारी	44	00	05	31
		993	00	13	03			45	00	03	47
		994	00	00	92			46	00	02	62
		992	00	08	10			47	00	00	12
		976	00	10	28			40	00	11	82
		975	00	00	85	5.	संतपाली	607	00	09	47
		977	00	06	51			604	00	09	19
		978	00	11	00			605	00	00	58
		980	00	00	41			602	00	00	79
		935	00	15	86			599/2	00	03	99
		979	00	00	10			599/1	00	07	67
		931	00	01	33			552	00	03	81
		934	00	07	22			551	00	05	81
		933	00	00	12			550/1	00	04	08
		859	00	17	41			553	00	00	52
		860	00	00	24			550/2	00	05	72
		861	00	02	30			554	00	03	57
		852	00	04	71			538	00	07	68
		853	00	00	66			457	00	09	19
		823	00	02	77			458	00	08	12
		826	00	06	82			433	00	08	09
		827	00	11	93			434	00	08	85
		828	00	14	83			429	00	07	64
		668	00	09	44			419	00	02	72
		612	00	30	77			420	00	11	88
		613	00	00	52			421	00	00	99
		610	00	00	11			426	00	08	96
		609	00	00	90			422	00	04	48
		608	00	02	60			413	00	02	06
		606	00	04	90			412	00	00	12
		607	00	03	50			423	00	17	84
		603	00	06	05			396	00	00	23
		605	00	00	89			398	00	01	62
		588	00	03	28			397	00	09	99
		587	00	02	63			399	00	08	98
		586	00	02	92			291	00	23	07
		584	00	00	86			290	00	03	46
		581	00	01	61			282	00	22	90
		585	00	03	44			283	00	01	83
		529	00	05	80			299	00	02	66
		530	00	01	56			281	00	04	13
		528	00	05	08			280	00	05	49
		279	00	05	19			276	00	10	41
		77	00	02	18			277	00	01	73
		76	00	02	07			270	00	15	44
		75	00	06	33			266	00	08	59
		74	00	03	84			267	00	06	65
		73	00	03	61						
		41	00	10	59						

1	2	3	4	5	6	1	2	3	4	5	6
6.	पलसाभाडी	268	00	07	28	7.	खोगसा	831	00	08	36
		600	00	07	70			834	00	19	72
		587	00	05	01			836	00	24	98
		588	00	07	70			711	00	05	99
		592	00	06	31			714	00	06	47
		591	00	00	42			716	00	03	08
		593	00	04	72			715	00	09	46
		594	00	01	80			558	00	03	32
		532	00	19	14			677	00	00	12
		533	00	06	14			676	00	05	64
		534	00	01	04			675	00	08	84
		535	00	00	10			674	00	07	79
		529	00	02	76			665	00	00	68
		528	00	07	78			667	00	12	63
		527	00	00	79			666	00	07	46
		526	00	05	54			625	00	09	57
		511	00	02	75			614	00	00	99
		524	00	00	64			624	00	03	00
		190	00	08	48			623	00	06	64
		199	00	00	75			620	00	10	01
		188	00	04	96			633	00	15	90
		187	00	12	20			636	00	16	96
		184	00	01	01			635	00	00	80
		183	00	03	55			639	00	02	44
		182	00	14	56			638	00	22	17
		181	00	00	26			599	00	01	54
		141	00	18	91			678	00	02	14
		142	00	05	47	8.	कुसमुर	555	00	01	28
		129	00	12	52			556	00	06	19
		130	00	07	44			389	00	25	17
		126	00	05	45			390	00	01	06
		127	00	03	28			388	00	07	26
		105	00	06	89			385	00	12	89
		103	00	07	08			387	00	00	17
		102	00	07	60			386	00	01	77
		95	00	02	49			380	00	04	49
		96	00	15	83			379	00	01	48
		80	00	00	10			378	00	07	47
		76	00	09	86			373	00	01	51
		75	00	09	84			372	00	06	44
		74	00	00	10			369	00	02	45
		54	00	13	02			371	00	06	99
		56	00	00	25			368	00	01	54
7.	खोगसा	858	00	22	19			370	00	06	73
		857	00	08	31			206	00	04	21
		856	00	08	65			149	00	08	62
		859	00	13	02			148	00	16	94
		879	00	01	01			147	00	03	63
		832	00	02	33			146	00	36	62
		833	00	13	29			145	00	02	35

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	कुसमुर-जारी	144	00	00	10		घुटीकोना	450	00	02	93
		139	00	11	49		-जारी	451	00	04	39
		137	00	14	74			452	00	01	46
		136	00	06	01			446	00	12	59
		115	00	00	18			459	00	01	06
		134	00	00	10			460	00	06	68
		135	00	02	82			461	00	04	04
		118	00	11	76			564/4	00	03	48
		122	00	06	53			542	00	15	78
		111	00	08	25			564/2	00	01	36
		121	00	08	14			564/3	00	00	11
		91	00	06	12			560	00	21	70
		92	00	16	10			559	00	11	39
		94	00	03	55			545	00	04	57
		95	00	06	97			547	00	03	76
		499	00	02	70			546	00	04	33
9.	घुटीकोना	386	00	03	25			548	00	05	69
		389	00	00	97			536	00	05	51
		388	00	05	51			532/2	00	10	73
		387	00	04	51			532/3	00	00	10
		391	00	00	80			532/4	00	00	62
		392	00	02	09			530	00	08	40
		393	00	03	77	10.	सागुनडीह	147	00	01	14
		377	00	03	41			143	00	08	96
		394	00	09	42			148	00	00	34
		397	00	06	68			146	00	00	45
		263	00	00	10			144	00	08	94
		261	00	03	17			145	00	00	48
		260	00	00	21			138	00	01	08
		262	00	06	78			154	00	02	22
		256	00	06	92			320	00	11	95
		255	00	00	72			319	00	01	01
		254	00	08	81			324	00	01	88
		253	00	00	75			322	00	00	10
		252	00	02	11			321	00	11	65
		250	00	00	38			264	00	20	10
		251	00	03	00			204	00	05	95
		238	00	02	18			205	00	03	99
		237	00	03	33			208	00	05	17
		97	00	05	17			207	00	00	10
		96	00	00	12			209	00	05	45
		93/3	00	01	67			210	00	09	15
		93/2	00	08	13			212	00	03	78
		93/1	00	04	39			214	00	11	17
		410	00	04	69			213	00	02	81
		92	00	00	63			218	00	04	50
		98	00	02	78			217	00	00	10
		442	00	00	19			219	00	03	91
		449	00	05	40			220	00	03	90
		448	00	04	04			223	00	08	15

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	सागुनडीह	222	00	03	16		भँवरचुवा	499	00	16	33
	—जारी	45	00	18	59		—जारी	500	00	02	09
		41	00	11	37			502	00	04	79
		38	00	12	16			501/2	00	02	78
		956	00	03	30			501/1	00	03	93
		15	00	01	93			332	00	02	83
		16	00	20	65			505	00	06	52
		18	00	17	58			506	00	03	91
11.	करनापाली	713	00	00	19			507	00	15	49
		711	00	30	32			508	00	05	72
		710	00	03	66			509	00	07	82
		725	00	02	83			514	00	11	42
		858	00	22	49			511	00	14	60
		859	00	16	85			512	00	14	88
		850	00	00	10	13	भँवरचुवा (टु)	181	00	02	91
		851	00	06	04			216	00	09	76
		852	00	06	84			215	00	07	34
		847	00	02	78			208	00	05	82
		835	00	05	60			207	00	06	97
		836	00	01	33			204	00	08	93
		834	00	00	41			228	00	02	80
		837	00	06	21			229	00	03	70
		838	00	00	70			230	00	00	81
		832	00	00	94			236	00	00	10
		831	00	09	97			235	00	01	84
		829	00	03	67			234	00	03	40
		828	00	11	39			233	00	03	00
12.	भँवरचुवा	654	00	06	64			231	00	02	37
		657	00	02	76			232	00	00	10
		656	00	05	19			201	00	04	55
		655	00	06	68			200	00	03	84
		652	00	21	37			199	00	03	00
		630	00	20	30			198	00	02	57
		626	00	00	10			96	00	09	85
		631	00	00	57			95	00	00	59
		593	00	14	45			93	00	00	10
		594	00	08	08			81	00	26	95
		595	00	10	36			80	00	00	17
		596/1	00	10	60			52	00	07	88
		488	00	09	25			53	00	00	42
		487	00	07	54			51	00	07	88
		486	00	00	95			48	00	01	01
		490	00	04	96			47	00	24	97
		491	00	01	50			46	00	07	20
		492/2	00	05	62			43	00	13	55
		492/1	00	01	46			85	00	03	26
		493	00	05	68	14	छातापठार	403	00	03	22
		483/712	00	02	91			314	00	10	35
		497	00	00	39			409	00	15	79
		498	00	03	97			408	00	01	44

1	2	3	4	5	6	1	2	3	4	5	6
	छातापदार	312	00	05	30		हरदा -जारी	500	00	00	65
	--जारी	313/1	00	04	68			498	00	08	61
		313/2	00	03	57			499	00	00	11
		310	00	05	25			495	00	03	30
		350	00	14	85			510	00	02	40
		249	00	02	74	16.	बडेसाजापाली	1559	00	01	72
		247	00	00	57			1868	00	13	35
		251	00	03	57			1867	00	03	04
		254	00	01	78			1869	00	00	48
		244	00	06	36			1866	00	03	35
		255	00	00	69			1861	00	00	56
		47	00	00	49			1859	00	21	21
		48	00	05	30			1841/9	00	01	16
		49	00	07	38			1857/4	00	00	77
		45	00	00	69			1841/8	00	03	17
		50	00	01	58			1841/7	00	16	05
		45/586	00	07	19			1841/6	00	11	51
		44/5	00	02	81			1841/5	00	04	52
		44/3	00	01	78			1830	00	00	10
		44/2	00	01	63			1841/1	00	00	14
		44/1	00	00	15			1840	00	02	09
		43/4	00	06	37			1832	00	07	05
		43/1	00	00	10			1833	00	13	74
		43/5	00	02	57			1837	00	08	06
		41	00	00	85			1834	00	07	77
		58	00	06	29			1835	00	00	10
		59	00	01	81			1801	00	00	84
		24	00	09	74			1798	00	08	20
		11/3	00	00	68			1797	00	04	25
		11/1	00	02	54			1796	00	02	51
		11/2	00	00	15			1767	00	08	81
		12	00	07	19			1768	00	02	49
		15/1	00	01	93			1769	00	06	66
		14	00	00	59			1711	00	21	87
		15/2	00	04	60			1712/3	00	02	55
		16	00	01	03			1712/4	00	00	10
		8	00	01	21			1707	00	21	31
		7	00	05	73			1710	00	00	20
		5	00	03	90			1706	00	15	65
		1	00	02	78			1705	00	03	05
13.	हरदा	716	00	02	62			1174/9	00	06	82
		517	00	05	74			1174/10	00	02	37
		515	00	03	61			1174/5	00	03	51
		516	00	09	30			1174/7	00	03	62
		506	00	00	42			1174/6	00	05	00
		505	00	00	60			1177	00	00	25
		507	00	09	47			1184	00	00	10
		508	00	02	21			1185	00	02	50
		501	00	03	51			1186	00	03	35
		509	00	02	90			1183	00	00	36
								1187	00	02	93
								1182	00	06	71
								1180	00	00	10

1	2	3	4	5	6	1	2	3	4	5	6
	बडेसाजापाली	1181	00	07	90		बुन्देलाभांठा	145	00	01	16
	—जारी	1110	00	06	68		—जारी	144	00	08	09
		1114	00	07	28			143	00	04	84
		1106	00	00	26			8	00	02	272
		1115	00	02	02			7	00	03	41
		1116	00	00	18			5	00	01	89
		1100	00	01	86			23	00	04	39
		1099/3	00	04	88			24	00	05	49
		1099/2	00	00	71			3	00	00	10
		1099/4	00	00	73			25	00	02	93
		1098/1	00	06	87			26	00	07	69
		1097	00	00	10	18.	लोहारपाली	264	00	30	19
		1096	00	05	10			265	00	00	19
		1103	00	02	09			266	00	00	10
17.	बुन्देलाभांठा	487	00	05	55			269/3	00	00	15
		539	00	00	72			269/2	00	00	10
		486	00	05	08			263	00	09	24
		488	00	00	61			270	00	06	49
		490	00	01	49			271	00	05	11
		489	00	04	68			258	00	05	01
		493	00	00	22			195	00	00	61
		494	00	03	48			257	00	00	32
		495	00	04	37			196	00	13	82
		497	00	01	80			191	00	12	83
		461	00	08	50			186	00	01	23
		498	00	00	50			187	00	23	59
		462	00	02	39			144	00	11	70
		460	00	04	38			143	00	06	78
		463	00	01	24			145	00	08	22
		459	00	07	60			146	00	04	86
		433	00	11	07			119	00	08	73
		458	00	01	62			118	00	04	61
		434	00	10	23			42	00	02	22
		426	00	02	55			44	00	02	34
		417	00	07	94			45	00	01	47
		425	00	01	78			43	00	02	09
		418	00	10	15			46	00	14	76
		420	00	02	93			47	00	04	56
		181	00	00	17			48	00	10	49
		179	00	09	27			54	00	00	20
		178	00	02	88			39	00	14	71
		194	00	02	00			55	00	09	87
		196	00	01	01			57	00	05	45
		176	00	06	38			58	00	00	10
		174	00	05	08	19	बुदीपाली	294	00	05	01
		197	00	00	79			295	00	08	13
		173	00	06	90						
		171	00	03	94						
		169	00	08	19						
		146	00	08	87						
		147	00	04	19						
		148	00	03	07						
		149	00	00	54						

New Delhi, the 16th August, 2010

S.O. 2058.—Whereas, it appears to the Central Government that it is necessary the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand), a "Paradip—Sambalpur—Raipur—Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the General Public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Dilip Kumar Agrawal, Competent Authority, Indian Oil Corporation Limited, Paradip-Sambalpur-Raipur-Ranchi Pipeline, Project, N-17, Sector-2, Avanti Vihar, Raipur-492006, Chhattisgarh.

SCHEDULE

Tehsil: Basna District: Mahasamund State—Chhattisgarh

Area					
Sr.No.	Name of the Village	Khasara No.	Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1.	Umariya	1329	00	00	77
2.	Koliyaridih	715	00	09	21
		710	00	31	82
		711	00	01	18
		456	00	35	13
		443	00	50	63
		415	00	10	15
		418	00	01	45
		430	00	28	64
		435	00	00	42
		436	00	06	75
		403	00	01	31
		384	00	10	44
		381	00	04	79
		379	00	04	75
		369	00	12	78
		367	00	02	43
		370	00	00	10
		364	00	15	65

1	2	3	4	5	6
	Koliyaridih	357	00	08	76
	—Contd.	358	00	03	48
		359	00	07	54
		114	00	00	17
		360	00	08	51
3.	Medhapali	803	00	19	53
		761	00	09	34
		760	00	03	04
		749	00	00	33
		750	00	23	15
		741	00	12	82
		742	00	01	67
		740	00	11	63
		501	00	12	02
		458	00	16	05
		457	00	04	83
		448	00	06	73
		449	00	07	12
		442	00	00	10
		441	00	01	57
		451	00	01	82
		440	00	03	28
		438	00	05	28
		439	00	06	95
		437	00	05	25
		391	00	08	95
		208	00	10	34
		211	00	13	58
		215	00	34	68
		210	00	00	66
		218	00	00	17
		276	00	17	50
		277	00	07	61
		278	00	05	20
		273	00	06	91
		272	00	06	73
		271	00	01	54
		270	00	08	59
		268	00	00	48
		263	00	06	00
		269	00	04	45
		234	00	15	86
		235	00	08	09
		237	00	04	85
4.	Pilwapali	963	00	02	44
		964	00	10	45
		967	00	04	44
		965	00	00	10
		966	00	05	50
		968	00	15	50

1	2	3	4	5	6	1	2	3	4	5	6
	Pilwapali	969	00	01	09		Pilwapali	44	00	05	31
	—Contd.	993	00	13	03		—Contd.	45	00	03	47
		994	00	00	92			46	00	02	62
		992	00	08	10			47	00	00	12
		976	00	10	28			40	00	11	82
		975	00	00	85	5.	Santpali	607	00	09	47
		977	00	05	51			604	00	09	19
		978	00	11	00			605	00	00	58
		980	00	00	41			602	00	00	79
		935	00	15	86			599/2	00	03	99
		979	00	00	10			599/1	00	07	67
		931	00	01	33			552	00	03	81
		934	00	07	22			551	00	05	81
		933	00	00	12			550/1	00	04	08
		859	00	17	41			553	00	00	52
		860	00	00	24			550/2	00	05	72
		861	00	02	30			554	00	03	57
		852	00	04	71			538	00	07	68
		853	00	00	66			457	00	09	19
		823	00	02	77			458	00	08	12
		826	00	06	82			433	00	08	09
		827	00	11	93			434	00	08	85
		828	00	14	83			429	00	07	64
		668	00	09	44			419	00	02	72
		612	00	30	77			420	00	11	88
		613	00	00	52			421	00	00	99
		610	00	00	11			426	00	08	96
		609	00	00	90			422	00	04	48
		608	00	02	60			413	00	02	06
		606	00	04	90			412	00	00	12
		607	00	03	50			423	00	17	84
		603	00	06	05			396	00	00	23
		605	00	00	89			398	00	01	62
		588	00	03	28			397	00	09	99
		587	00	02	63			399	00	08	98
		586	00	02	92			291	00	23	07
		584	00	00	86			290	00	03	46
		581	00	01	61			282	00	22	90
		585	00	03	44			283	00	01	83
		529	00	05	80			299	00	02	66
		530	00	01	56			281	00	04	13
		528	00	05	08			280	00	05	49
		279	00	05	19			276	00	10	41
		77	00	02	18			277	00	01	73
		76	00	02	07			270	00	15	44
		75	00	06	33			266	00	08	59
		74	00	03	84			267	00	06	65
		73	00	03	61			268	00	07	28
		41	00	10	59	6.	Palsabadi	600	00	00	70
		42	00	02	72			587	00	05	01
								588	00	07	70
								592	00	06	31

1	2	3	4	5	6	1	2	3	4	5	6
	Palsabhadi	591	00	00	42		Khogasa	716	00	03	08
	-- -Contd.	593	00	04	72		—Contd.	715	00	09	46
		594	00	01	80			558	00	03	32
		532	00	19	14			677	00	00	12
		533	00	06	14			676	00	05	64
		534	00	01	04			675	00	08	84
		535	00	00	10			674	00	07	79
		529	00	02	76			665	00	00	68
		528	00	07	78			667	00	12	63
		527	00	00	79			666	00	07	46
		526	00	05	54			625	00	09	57
		511	00	02	75			614	00	00	99
		524	00	00	64			624	00	03	00
		190	00	08	48			623	00	06	64
		199	00	00	75			620	00	10	01
		188	00	04	96			633	00	15	90
		187	00	12	20			636	00	16	96
		184	00	01	01			635	00	00	80
		183	00	03	55			639	00	02	44
		182	00	14	56			638	00	22	17
		181	00	00	26			599	00	01	54
		141	00	18	91			678	00	02	14
		142	00	05	47	8.	Kusmur	555	00	01	28
		129	00	12	52			556	00	06	19
		130	00	07	44			389	00	25	17
		126	00	05	45			390	00	01	06
		127	00	03	28			388	00	07	26
		105	00	06	89			385	00	12	89
		103	00	07	08			387	00	00	17
		102	00	07	60			386	00	01	77
		95	00	02	49			380	00	04	49
		96	00	15	83			379	00	01	48
		80	00	00	10			378	00	07	47
		76	00	09	86			373	00	01	51
		75	00	09	84			372	00	06	44
		74	00	00	10			369	00	02	45
		54	00	13	02			371	00	06	99
		56	00	00	25			368	00	01	54
7.	Khogasa	858	00	22	19			370	00	06	73
		857	00	08	31			206	00	04	21
		856	00	08	65			149	00	08	62
		859	00	13	02			148	00	16	94
		879	00	01	01			147	00	03	63
		832	00	02	33			146	00	36	62
		833	00	13	29			145	00	02	35
		831	00	08	36			144	00	00	10
		834	00	19	72			139	00	11	49
		836	00	24	98			137	00	14	74
		711	00	05	99			136	00	06	01
		714	00	06	47			115	00	00	18

1	2	3	4	5	6	1	2	3	4	5	6
	Kusmur	134	00	00	10		Ghutikona	460	00	06	68
	—Contd	135	00	02	82		—Contd.	461	00	04	04
		118	00	11	76			564/4	00	01	48
		122	00	06	53			542	00	15	78
		111	00	08	25			564/2	00	01	36
		121	00	08	14			564/3	00	00	11
		91	00	06	12			560	00	21	70
		92	00	16	10			559	00	11	39
		94	00	03	55			545	00	04	57
		95	00	06	97			547	00	03	76
		499	00	02	70			546	00	04	33
9.	Ghutikona	386	00	03	25			548	00	05	69
		389	00	00	97			536	00	05	51
		388	00	05	51			532/2	00	10	73
		387	00	04	51			532/3	00	00	10
		391	00	00	80			532/4	00	00	62
		392	00	02	09			530	00	08	60
		393	00	03	77	10.	Sagundih	147	00	01	14
		377	00	03	41			143	00	08	96
		394	00	09	42			148	00	00	34
		397	00	06	68			146	00	00	45
		263	00	00	10			144	00	08	94
		261	00	03	17			145	00	00	48
		260	00	00	21			138	00	01	08
		262	00	06	78			154	00	02	22
		256	00	06	92			320	00	11	95
		255	00	00	72			319	00	01	01
		254	00	08	81			324	00	01	88
		253	00	00	75			322	00	00	10
		252	00	02	11			321	00	11	65
		250	00	00	38			264	00	20	10
		251	00	03	00			204	00	05	95
		238	00	02	18			205	00	03	99
		237	00	03	33			208	00	05	17
		97	00	05	17			207	00	00	10
		96	00	00	12			209	00	05	45
		93/3	00	01	67			210	00	09	15
		93/2	00	08	13			212	00	03	78
		93/1	00	04	39			214	00	11	17
		410	00	04	69			213	00	02	81
		92	00	00	63			218	00	04	50
		98	00	02	78			217	00	00	10
		442	00	00	19			219	00	03	91
		449	00	05	40			220	00	03	90
		448	00	04	04			223	00	08	15
		450	00	02	93			222	00	03	16
		451	00	04	39			45	00	18	59
		452	00	01	46			41	00	11	37
		446	00	12	59			38	00	12	16
		459	00	01	06			956	00	03	30

2	3	4	5	6	1	2	3	4	5	6
Sagundih	15	00	01	93		Bhawarchuwa	505	00	06	52
Contd.	16	00	20	65		—Contd.	506	00	03	91
	18	00	17	58			507	00	15	49
Karnapali	710	00	00	19			508	00	05	72
	711	00	30	32			509	00	07	82
	710	00	03	66			514	00	11	42
	725	00	02	83			511	00	14	60
	858	00	22	49			512	00	14	88
	859	00	16	85	13.	Bhawarchuwa	181	00	02	91
	850	00	00	10		(Part)	216	00	09	76
	851	00	06	04			215	00	07	34
	852	00	06	84			208	00	05	82
	847	00	02	78			207	00	06	97
	835	00	05	60			204	00	08	93
	836	00	01	33			228	00	02	80
	834	00	00	41			229	00	03	70
	837	00	06	21			230	00	00	81
	838	00	00	70			236	00	00	10
	832	00	00	94			235	00	01	84
	831	00	09	97			234	00	03	40
	829	00	03	67			233	00	03	00
	828	00	11	39			231	00	02	37
Bhawarchuwa	654	00	06	64			232	00	00	10
	657	00	02	76			201	00	04	55
	656	00	05	19			200	00	05	84
	655	00	06	68			199	00	03	00
	652	00	21	37			198	00	02	57
	630	00	20	30			96	00	09	85
	626	00	00	10			95	00	00	59
	631	00	00	57			93	00	00	10
	593	00	14	45			81	00	26	95
	594	00	08	08			80	00	00	17
	595	00	10	36			52	00	07	88
	596/1	00	10	60			53	00	00	42
	488	00	09	25			51	00	07	88
	487	00	07	54			48	00	01	01
	486	00	00	95			47	00	24	97
	490	00	04	96			46	00	07	20
	491	00	01	50			43	00	13	55
	492/2	00	05	62			85	00	03	26
	492/1	00	01	46	14.	Chhatapathar	403	00	03	22
	493	00	05	68			314	00	10	35
	483/712	00	02	91			409	00	15	79
	497	00	00	39			408	00	01	44
	498	00	03	97			312	00	05	30
	499	00	16	33			313/1	00	04	68
	500	00	02	09			313/2	00	03	57
	502	00	04	79			310	00	05	25
	501/2	00	02	78			350	00	14	85
	501/1	00	03	93						
	332	00	02	83						

1	2	3	4	5	6	1	2	3	4	5	6
	Chhatapathar	249	00	02	74	16.	Badesajapali	1559	00	01	72
	Contd.	247	00	00	57			1868	00	13	35
		251	00	03	57			1867	00	03	04
		254	00	01	78			1869	00	00	48
		244	00	06	36			1866	00	03	35
		255	00	00	69			1861	00	00	56
		47	00	00	49			1859	00	21	21
		48	00	05	30			1841/9	00	01	16
		49	00	07	38			1857/4	00	00	77
		45	00	00	69			1841/8	00	03	17
		50	00	01	58			1841/7	00	16	05
		45/586	00	07	19			1841/6	00	11	51
		44/5	00	02	81			1841/4	00	04	52
		44/3	00	01	78			1830	00	00	10
		44/2	00	01	63			1841/1	00	00	14
		44/1	00	00	15			1840	00	02	09
		43/4	00	06	37			1832	00	07	05
		43/1	00	00	10			1833	00	13	74
		43/5	00	02	57			1837	00	08	06
		41	00	00	85			1834	00	07	77
		58	00	06	29			1835	00	00	10
		59	00	01	81			1801	00	00	84
		24	00	09	74			1798	00	08	20
		11/3	00	00	68			1797	00	04	25
		11/1	00	02	54			1796	00	02	51
		11/2	00	00	15			1767	00	08	81
		12	00	07	19			1768	00	02	49
		15/1	00	01	93			1769	00	06	66
		14	00	00	59			1711	00	21	87
		15/2	00	04	60			1712/3	00	02	55
		16	00	01	03			1712/4	00	00	10
		8	00	01	21			1707	00	21	31
		7	00	05	73			1710	00	00	20
		5	00	03	90			1706	00	15	65
		1	00	02	78			1705	00	03	05
15.	Harda	716	00	02	62			1174/9	00	06	82
		517	00	05	74			1174/10	00	02	37
		515	00	03	61			1174/5	00	03	51
		516	00	09	30			1174/7	00	03	62
		506	00	00	42			1174/6	00	05	00
		505	00	00	60			1177	00	00	25
		507	00	09	47			1184	00	00	10
		508	00	02	21			1185	00	02	50
		501	00	03	51			1186	00	03	35
		509	00	02	90			1183	00	00	36
		500	00	00	65			1187	00	02	93
		498	00	08	61			1182	00	06	71
		499	00	00	11			1180	00	00	70
		495	00	03	30			1181	00	07	44
		510	00	02	40			1180	00	06	68

1	2	3	4	5	6	1	2	3	4	5	6
	Badesajapali	1114	00	07	28		Bundela-	149	00	00	54
	—Contd.	1106	00	00	26		bhartha	145	00	01	16
		1115	00	02	02		—Contd.	144	00	08	09
		1116	00	00	18			143	00	04	84
		1100	00	01	86			8	00	02	272
		1099/3	00	04	88			7	00	03	41
		1099/2	00	00	71			5	00	01	89
		1099/4	00	00	73			23	00	04	39
		1098/1	00	06	87			4	00	05	49
		1097	00	00	10			5	00	03	10
		1096	00	05	10			25	00	02	93
		1103	00	02	09			26	00	07	69
17.	Bundela-	487	00	05	55	18.	Loharpali	264	00	30	19
	bhantha	539	00	00	77			265	00	00	10
		486	00	05	08			266	00	00	10
		488	00	00	61			269/1	00	00	10
		490	00	01	49			269/2	00	00	10
		489	00	04	68			263	00	09	34
		493	00	00	22			270	00	06	49
		494	00	03	48			271	00	05	11
		495	00	04	37			258	00	05	01
		497	00	01	80			195	00	00	61
		461	00	08	50			257	00	00	32
		498	00	00	50			196	00	12	82
		462	00	02	39			191	00	12	83
		460	00	04	38			186	00	01	23
		463	00	01	24			187	00	23	59
		459	00	07	60			144	00	11	70
		433	00	11	07			143	00	06	78
		458	00	01	62			145	00	08	22
		434	00	10	23			146	00	04	86
		426	00	02	55			119	00	08	75
		417	00	07	94			118	00	04	61
		425	00	01	78			42	00	02	22
		418	00	10	15			44	00	02	34
		420	00	02	93			45	00	01	47
		181	00	00	17			43	00	02	09
		179	00	09	27			46	00	14	76
		178	00	02	88			47	00	04	56
		194	00	00	00			48	00	10	10
		196	00	01	01			54	00	00	20
		176	00	01	38			39	00	14	71
		174	00	05	08			55	00	09	87
		197	00	00	79			57	00	05	45
		173	00	06	90			58	00	00	10
		171	00	03	94	19.	Butipali	294	00	05	01
		169	00	08	19			295	00	08	13
		146	00	08	87						
		147	00	04	19						
		148	00	03	07						

नई दिल्ली, 16 अगस्त, 2010

का.आ. 2059.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन” बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में श्री दिलीप कुमार अग्रवाल, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना, एन-17, सेक्टर 2, अंबति बिहार, रायपुर-492006 (छत्तीसगढ़) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील-सरायपली	जिला- महासमुंद	राज्य-छत्तीसगढ़			
क्रम	गांव का नाम	खसरा सं.	क्षेत्रफल		
सं.		हेक्टर	एयर	वर्ग मीटर	
1	2	3	4	5	6
1.	रेंहटीखोल	127	00	00	29
		126	00	12	82
		132	00	16	55
		133	00	07	13
		123	00	24	18
		138	00	07	61
		156	00	02	81
		157	00	00	21
		155	00	10	07
		170	00	07	82
		171	00	00	65
		202	00	13	32

1	2	3	4	5	6
	रेंहटीखोल	201	00	10	28
	—जारी	219	00	11	15
		223	00	07	96
		218	00	02	70
		225	00	00	74
		224	00	06	29
		239	00	12	82
		240	00	11	89
		274	00	02	45
		255	00	85	20
		263	00	10	96
		257	00	00	10
		258	00	00	27
		262	00	06	12
		261	00	15	32
		260	00	01	76
2.	मुसुरी	309	00	23	76
		289	00	03	97
		288	00	08	71
		287	00	16	40
		276	00	02	53
		274/1	00	17	26
		275	00	19	89
		270	00	04	82
		268	00	02	36
		267	00	13	91
		266	00	07	00
		265	00	02	63
		262	00	08	37
		260	00	00	10
		263	00	06	42
		261	00	06	06
		258	00	06	66
		257	00	15	53
3.	चिवराकुंटा	221	00	15	74
		220	00	09	37
		219	00	03	45
		218	00	15	05
		217	00	08	27
		216	00	27	75
		215	00	03	19
		214	00	12	05
		213	00	06	55

1	2	3	4	5	6	1	2	3	4	5	6
चिवराकुंटा—जारी	211	00	15	67		गनियारीपाली—जारी	475	00	00	17	
	210	00	08	45			476	00	13	43	
	209	00	00	42			470	00	00	86	
	208	00	09	11			460	00	00	10	
	198	00	14	26			469	00	00	70	
	201	00	03	03			468	00	00	20	
	204	00	17	13			468	00	00	00	
	205	00	01	60			468	00	00	00	
	134	00	04	88			467	00	00	00	
	132	00	11	40			503	00	00	05	
	127	00	11	96			508	00	00	40	
	123	00	05	05			501	00	00	00	
	122	00	00	13			510	00	05	00	
	120	00	00	08			412	00	04	35	
	117	00	02	44			579	00	00	44	
	118	00	00	21			581	00	02	41	
	116	00	01	49			582	00	09	27	
	113	00	03	31			583/1	00	05	50	
	112/1	00	10	55			583/2	00	04	08	
	100	00	20	11			586/3	00	02	15	
	108	00	05	18			586/5	00	05	54	
	107	00	00	10			586/2	00	08	67	
	104	00	02	16			587	00	17	88	
	103	00	08	16			590/3	00	07	22	
	68	00	00	58			590/2	00	16	64	
	90	00	00	93		5. सिंधोडा	158	00	24	68	
	89	00	00	57			159	00	02	10	
	74	00	19	31			168	00	09	96	
	73	00	00	81			169	00	15	38	
	75	00	00	05			170	00	00	20	
	76	00	00	05			200	00	00	93	
	78	00	00	32			201	00	00	10	
	80	00	00	00			193	00	00	10	
	34	00	02	34			192	00	06	69	
4. गनियारीपाली	216	00	16	35			191	00	00	81	
	218	00	15	08			190	00	07	77	
	220	00	17	38			189	00	00	84	
	22	00	01	28			175	00	06	13	
	226	00	13	23			139	00	03	03	
	478	00	15	94			140	00	00	35	
	479	00	09	40			138	00	01	35	

1	2	3	4	5	6	1	2	3	4	5	6
सिंधोडा	133	00	01	18		6.	सागरपाली	109	00	05	68
मंजारा	155	00	00	22				108	00	00	10
	99	00	01	69				107	00	06	13
	134	00	01	05				105	00	06	16
	184	00	04	27				104	00	04	79
	182	00	03	31				103	00	04	80
	181	00	04	01				102	00	01	94
	123	00	03	41				101	00	15	17
	92	00	00	10				93	00	08	13
	90	00	22	10				92	00	00	37
	82	00	00	44				91	00	00	10
	80	00	00	38		7.	पलसाभाडी	139	00	18	62
	81	00	13	17				137	00	01	53
	78	00	04	60				140	00	00	31
	79	00	07	71				136	00	00	78
	75	00	02	91				135	00	01	72
	76	00	08	43				134	00	03	84
	77	00	08	58				127	00	05	50
	71	00	09	20				126	00	15	36
	69	00	07	60				125	00	04	35
	68	00	03	76				428	00	07	20
	66	00	12	78		8.	रु. थडी	154	00	15	04
	58	00	00	38				153	00	05	54
	62	00	15	72				146	00	16	35
	60	00	03	59				148	00	02	92
	59	00	00	19				147	00	07	45
	57	00	01	23				145	00	01	82
	29	00	05	44		9.	लखनपुर	1857	00	00	13
	30	00	01	96				1856	00	02	78
	31	00	05	63				1855	00	11	98
	28	00	03	79				1854	00	14	69
	32	00	07	83				1846	00	04	07
	13	00	03	43				1844	00	00	10
	14	00	02	99				1843	00	03	10
	9/1	00	00	10				820	00	08	72
	9/2	00	05	96				821	00	00	10
	9/3	00	00	76				819	00	01	33
	8	00	09	27				818	00	03	40
	6	00	06	95				817	00	00	10
	5	00	01	14				816	00	06	20

1	2	3	4	5	6	1	2	3	4	5	6
	सखनपुर - जारी	812/3	00	03	29	10.	बटकी	83	00	06	20
		812/2	00	00	73			82	00	00	78
		812/1	00	05	78			85	00	04	66
		809	00	05	49			86	00	07	68
		808/2	00	05	75			87	00	07	52
		807	00	04	46			78	00	02	44
		803	00	05	60			77	00	05	78
		802	00	06	11			261	00	02	66
		801	00	03	43			109	00	13	89
		798	00	00	10			110	00	01	59
		796	00	05	90			112	00	00	48
		797	00	04	94			113	00	12	33
		790	00	02	45			132	00	06	18
		793	00	02	42			131	00	05	55
		792	00	05	69			130	00	00	10
		791	00	05	20			134	00	05	10
		765	00	01	83			136	00	04	09
		764	00	02	29			135	00	00	61
		766	00	05	36			148	00	05	33
		767	00	04	74			149	00	00	10
		768	00	03	74			150	00	02	74
		769	00	05	98			151	00	04	36
		770	00	06	46			147	00	00	10
		771	00	03	01			152	00	10	88
		777	00	00	10			160	00	04	43
		772	00	19	50			161	00	06	47
		421	00	00	19			227	00	04	13
		436	00	14	90			226	00	05	67
		425	00	12	65			225	00	07	49
		423	00	00	97			172	00	06	76
		424	00	04	12			175	00	12	58
		416	00	01	92			223	00	07	25
		438	00	01	05			222	00	03	21
		437	00	01	54			224	00	02	39
		426	00	01	64			474	00	01	76
		414	00	26	99			476	00	06	02
		412	00	07	34			478	00	05	28
		378	00	39	06			479	00	06	39
		400	00	00	67			480	00	07	85
		377	00	18	31			481	00	06	42

1	2	3	4	5	6	1	2	3	4	5	6
11.	रुढ़ा	1040	00	21	46		रुढ़ा—जारी	729	00	04	92
		1042	00	08	60			289	00	02	98
		1043	00	11	33			290	00	01	85
		1044	00	07	84			291	00	01	21
		1089	00	02	46			293	00	05	81
		1050	00	03	02			282	00	02	53
		1083	00	16	23			281	00	00	99
		1062	00	19	25			198	00	11	20
		1061	00	00	10			201	00	03	88
		1063	00	07	82			202	00	03	62
		1080	00	01	55			194	00	02	93
		1079	00	02	99			191	00	17	97
		1076	00	01	66			190	00	00	20
		1078	00	09	83			189	00	00	10
		1109	00	00	11			181	00	30	04
		1071	00	00	71			137	00	03	14
		1074	00	14	06			180	00	01	58
		1111	00	00	79			179	00	00	75
		1113	00	07	29			178	00	00	10
		1115	00	03	64			68	00	02	08
		1116	00	11	64			67	00	03	22
		1117	00	08	41			66	00	04	68
		808	00	08	84			35	00	04	35
		809	00	05	16			36	00	03	97
		807/1	00	04	66			38	00	00	20
		810	00	02	63			37	00	07	95
		806	00	02	97			40	00	04	43
		804	00	10	78			32	00	06	75
		802	00	02	23			47	00	10	58
		801	00	02	00			53/1	00	06	14
		800	00	11	51			24/2	00	08	56
		786	00	07	58			49/1266	00	03	69
		785	00	00	10			49/1	00	00	10
		787	00	03	85			20	00	05	50
		788	00	05	53			19	00	03	13
		732	00	02	41			18	00	02	32
		733	00	00	10			17	00	02	02
		734	00	02	93			15	00	06	99
		731	00	03	80	12.	आकाशखार	219	00	00	30
		730	00	05	51			278	00	04	26

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	आकाशखार	277	00	04	37		खम्हारपाली	134	00	02	65
	-जारी	276	00	03	46		-जारी	11	00	05	42
		274	00	04	54			14	00	03	16
		273	00	08	16			15	00	08	36
		220	00	13	73			42	00	16	30
		221	00	10	82			19	00	12	21
		199	00	08	06			28	00	15	74
		200	00	04	49			29	00	08	70
		196	00	09	19			30	00	02	91
		197	00	08	95			31	00	15	56
		222	00	01	81			34	00	00	10
		185	00	05	89			109	00	05	00
		183	00	11	73			119	00	23	46
		182	00	10	81	14.	छिंदपाली	1243	00	08	12
		226	00	00	13			1246	00	22	52
		148	00	13	36			1244	00	04	09
		175	00	14	06			1245	00	30	88
		151	00	06	94			1249	00	03	07
		152	00	03	84			1298	00	73	57
		154	00	06	17			1299	00	18	69
		157	00	05	65			1301	00	03	56
		156	00	03	27			1300	00	04	47
		169	00	01	77			1302	00	08	75
		43	00	21	61			1365	00	21	41
		42	00	04	48			1366	00	00	10
		41	00	04	04			1367	00	07	82
		37	00	09	72			1368	00	08	98
		36	00	00	90			1369	00	02	21
		69	00	07	71			1372	00	03	70
13.	खम्हारपाली	120	00	00	10			1373	00	03	25
		123	00	11	52			1374	00	08	99
		125	00	24	44			1423	00	35	96
		124	00	04	29			1421	00	04	95
		140	00	00	10			1433	00	06	49
		141	00	11	00			1416	00	20	77
		143	00	10	93			1446	00	00	10
		144	00	02	25			1444	00	12	19
		142	00	04	04			1445	00	04	17
		145	00	02	53			1456/7	00	01	85
		146	00	00	14			1457/1	00	08	59
								711/2	00	10	59
								711/4	00	00	10

1	2	3	4	5	6	1	2	3	4	5	6
छिंदवाली	712	00	05	89		15.	चट्टीगिरोला	235	00	00	31
—जारी	713	00	01	41				244	00	17	29
	709	00	02	82				245	00	03	31
	720	00	28	20				236	00	00	29
	721	00	06	20				243	00	00	96
	722	00	14	97				237	00	13	62
	608	00	01	70				238	00	02	30
	395	00	08	82				232	00	07	79
	396	00	08	55				233	00	00	97
	397	00	04	47				218	00	06	21
	398	00	14	96				215	00	03	60
	400	00	14	70				217	00	02	64
	439	00	06	08				216	00	05	18
	437	00	18	19				213	00	15	06
	438	00	00	48				50	00	04	46
	436	00	02	65				124/1	00	07	47
	435	00	02	51				124/2	00	02	63
	433	00	00	10				211	00	05	65
	434	00	03	64				123/1	00	12	93
	430	00	08	50				123/2	00	00	20
	429	00	08	06				134	00	01	14
	476	00	02	37				122/1	00	02	85
	428	00	11	11				67/1	00	15	71
	426	00	06	61				79	00	02	90
	425	00	10	17				78	00	04	21
	496	00	06	67				80	00	06	31
	497	00	02	35				75	00	00	15
	498	00	03	36				81	00	01	25
	499	00	02	93				82	00	16	65
	423	00	06	69				70/2	00	07	04
	500	00	02	41				70/1	00	04	76
	502	00	03	01				35	00	14	64
	502/1497	00	01	93				34	00	01	73
	503	00	01	56				33	00	11	21
	504	00	04	54				32	00	04	06
	505	00	03	66							
	286	00	00	15		16	बोदानवापाली	867	00	35	62
	285	00	15	31				866	00	09	40
	510	00	08	69				868	00	08	27
	511	00	28	79				865	00	03	33
	278	00	00	20				885	00	11	70

1	2	3	4	5	6	1	2	3	4	5	6
	बोदानवापाली	880	00	00	79		दर्राभाठा	1103	00	03	92
	—जारी	883	00	17	23		—जारी	1099	00	00	50
		884	00	05	53			1100	00	04	38
		882	00	06	59			1102	00	03	64
		886	00	21	07			1101	00	05	29
		856	00	04	54			1033	00	03	18
		780	00	18	56			1037	00	01	95
		781	00	00	79			1036	00	02	86
		775	00	08	19			1035	00	05	77
		776	00	08	61			1034/2	00	05	79
		773	00	11	10			1032	00	06	22
		777	00	02	00			1031	00	12	40
		762	00	17	96			996	00	13	07
		758/2389/3	00	12	32			997	00	09	03
		799	00	00	15			962	00	26	17
		749	00	26	93			984	00	07	75
		750	00	00	16			983	00	06	26
		747/2	00	08	29			985	00	01	52
		813	00	59	98			981/2	00	18	89
		812	00	07	02			975	00	15	99
		815	00	22	17			976	00	00	28
		779	00	00	86			974	00	03	69
17.	दर्राभाठा	1328	00	37	34			973	00	00	60
		1288	00	03	42			972	00	11	35
		1274	00	27	52	18.	वैदपाली	895	00	55	75
		1273	00	08	47			881	00	00	61
		1272/3	00	04	45			896	00	92	95
		1272/1	00	01	07			826	00	03	12
		1272/2	00	04	94			425/915	00	02	09
		1275	00	00	32			825/2	00	02	67
		1236	00	06	20			827/2	00	11	67
		1082	00	13	93			821	00	19	31
		1154	00	01	38			829	00	07	85
		1083	00	08	40			830	00	03	16
		1086	00	03	82			833	00	13	79
		1085	00	09	85			507	00	02	48
		1087	00	15	50			509	00	05	98
		1118	00	20	78			508	00	06	00
		1108	00	00	10			515	00	22	53
		1107	00	01	44			514	00	06	82

1	2	3	4	5	6	1	2	3	4	5	6
	बैदपाली	541	00	16	09		बालसी--जारी	1002	00	05	96
	-जारी	540	00	01	69			1000	00	07	71
		542	00	05	31			1008	00	05	72
		547	00	00	45			1009	00	08	07
		546	00	04	32			1018	00	00	30
		545	00	01	69			1019	00	07	77
		549	00	07	82			1021	00	05	45
		701	00	12	95			1020	00	01	14
		710	00	01	01			1035	00	04	47
		699	00	12	77			1033	00	03	43
		698	00	06	23			1032	00	04	72
		711	00	02	95			1031	00	02	36
		697	00	13	68			1030	00	06	93
		695	00	09	24			1043	00	01	46
		693	00	05	53			1044	00	02	39
		640	00	03	70			1029	00	16	16
		639/1	00	12	40			1065	00	06	13
		638	00	07	94			1066	00	04	47
		637	00	12	06			1067	00	05	01
		630	00	07	27			1068	00	02	49
		631	00	00	14			1070	00	07	34
		629	00	04	12			1069	00	01	43
		628	00	00	24			1074	00	01	73
		627	00	01	37			915	00	18	64
		622	00	10	55			912	00	00	74
19.	बालसी	1144	00	08	50			913	00	27	32
		1147	00	01	32			884	00	09	96
		1146	00	02	16			885	00	00	19
		1148	00	00	83			874	00	00	28
		1145	00	01	69			883	00	24	04
		1140	00	23	65			875	00	04	65
		1139	00	01	05			878	00	12	83
		1141	00	01	36			880	00	14	11
		1138	00	06	75			679/3	00	06	44
		1137	00	08	22			679/4	00	14	13
		531	00	08	98			676	00	16	84
		1152	00	07	50			679/2	00	00	84
		1136	00	09	24			679/1	00	06	59
		1133	00	13	43			681	00	03	34
		1006	00	02	65			682	00	23	18
		1001	00	01	81			687	00	06	02

1	2	3	4	5	6	1	2	3	4	5	6
	बालसी-जारी	686/1	00	04	52		लुकापारा-जारी	256	00	01	90
		684	00	14	28			267	00	00	60
		685	00	15	53			246	00	14	66
		698	00	06	86			245	00	06	28
		720	00	13	92			221	00	06	01
		719	00	01	13			195	00	14	84
		722	00	49	41			196	00	04	03
		780	00	12	47			190	00	04	38
		779	00	10	41			197	00	00	35
		778	00	02	08			189	00	20	31
		777	00	06	60			163	00	01	88
		763	00	13	82			188	00	00	10
		762	00	05	96			164	00	09	57
		764/2	00	29	64			165	00	04	61
		764/3	00	09	71			166	00	01	01
		764/5	00	10	25			159	00	14	06
		765	00	10	87			154	00	01	45
		764/1	00	10	86			153	00	06	82
20.	बरिहापाली	737	00	10	25			151	00	08	86
		736	00	08	24			138	00	12	86
		726	00	23	45			137	00	01	91
		725	00	08	54			141	00	18	32
		724	00	18	28			133	00	09	74
		723	00	11	69			132	00	08	51
		722	00	04	09			131	00	05	85
		721	00	14	01			130	00	14	22
		706	00	03	33			78	00	04	83
		705	00	07	69			77	00	00	62
		702	00	10	32			73	00	20	57
		701	00	05	32			71	00	03	17
		703	00	08	50			72	00	05	57
		693	00	00	10			53	00	16	97
		692	00	21	31			45	00	02	20
21.	लुकापारा	291	00	00	77			49	00	01	09
		290	00	06	04			50	00	12	44
		261	00	05	59			48	00	05	28
		260	00	04	24						
		259	00	16	11	22.	परसदा	150	00	06	84
		254	00	00	10			1	00	00	10
		258	00	09	97						
		257	00	00	10						

[सं. आर-25011/20/2010-ओ.आर.]

बी. के. दत्ता, अवग सचिव

New Delhi, the 16th August, 1910

S.O 2059.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand), a "Paradip- Sambalpur - Raipur - Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the General Public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Sri Dilip Kumar Agarwal, Competent Authority, Indian Oil Corporation Limited, Paradip - Sambalpur-Raipur- Ranchi Pipeline Project, N-17, Sector-2, Avanti Vihar, Raipur-492006, Chhattisgarh.

SCHEDULE

Tehsil:Saraipali District:Mahasamundu State:Chhattisgarh

Sr. No.	Name of the Village	Khasara No.	Area Hectare	Area Are	Sq. mtr.
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1	2	3	4	5	6
1.	Rehatikhol	127	00	00	29
		126	00	12	82
		132	00	16	55
		133	00	07	13
		123	00	24	18
		138	00	07	61
		156	00	02	81
		157	00	00	21
		155	00	10	07
		170	00	07	82
		171	00	00	65
		202	00	13	32
		201	00	10	28
		219	00	11	15
		223	00	07	96
		218	00	02	70
		225	00	00	74

1	2	3	4	5	6
1.	Rehatikhol	224	00	06	29
	—Contd.	239	00	12	82
		240	00	11	89
		274	00	02	45
		255	00	85	20
		263	00	10	96
		257	00	00	10
		258	00	00	27
		262	00	06	12
		261	00	15	32
		260	00	01	76
2.	Murmuri	309	00	23	76
		289	00	03	97
		288	00	08	71
		287	00	16	40
		276	00	02	53
		274/1	00	17	26
		275	00	19	89
		270	00	04	82
		268	00	02	36
		267	00	13	91
		266	00	07	00
		265	00	02	63
		262	00	08	37
		260	00	00	10
		263	00	06	42
		261	00	06	06
		258	00	06	66
		257	00	15	53
3.	Chiwarakut	221	00	15	74
		220	00	09	37
		219	00	03	45
		218	00	15	05
		217	00	08	27
		216	00	27	75
		215	00	03	19
		214	00	12	05
		213	00	06	55
		211	00	15	67
		210	00	08	45
		209	00	00	42
		208	00	09	11
		198	00	14	26
		201	00	03	03
		204	00	17	13
		205	00	01	60
		134	00	04	88

1	2	3	4	5	6	1	2	3	4	5	6
3.	Chiwarakut	132	00	16	90		Ganiyaripali	581	00	02	41
	—Contd.	131	00	04	96		—Contd.	582	00	09	27
		123	00	02	05			583/1	00	05	50
		122	00	01	43			583/2	00	04	08
		120	00	23	68			586/3	00	02	15
		117	00	02	44			586/5	00	05	54
		118	00	00	21			586/2	00	08	67
		116	00	01	49			587	00	17	88
		113	00	03	31			590/3	00	07	22
		112/1	00	00	55			590/2	00	16	64
		100	00	20	11	5.	Singhoda	158	00	24	68
		108	00	05	18			159	00	02	13
		107	00	00	10			168	00	09	96
		104	00	03	06			169	00	15	38
		103	00	08	16			170	00	00	20
		68	00	32	58			200	00	00	93
		90	00	02	93			201	00	00	10
		89	00	01	37			193	00	00	10
		74	00	19	31			192	00	06	69
		73	00	09	81			191	00	00	81
		75	00	10	05			190	00	07	77
		76	00	02	06			189	00	00	84
		78	00	38	32			175	00	06	13
		80	00	00	19			139	00	03	03
		34	00	02	34			140	00	00	35
4.	Ganiyaripali	216	00	16	35			138	00	01	35
		218	00	15	08			137	00	02	18
		222	00	17	38			135	00	00	22
		224	00	01	28			99	00	01	69
		226	00	13	23			136	00	01	05
		478	00	15	94			184	00	04	27
		477	00	09	40			182	00	03	54
		475	00	00	17			181	00	04	05
		476	00	13	43			123	00	03	47
		470	00	00	86			92	00	00	10
		460	00	00	10			90	00	22	10
		469	00	06	70			82	00	00	44
		468	00	09	45			80	00	00	38
		465	00	01	92			81	00	13	17
		466	00	00	10			78	00	04	60
		467	00	20	93			79	00	07	71
		503	00	20	05			75	00	02	91
		508	00	11	49			76	00	08	43
		501	00	05	08			77	00	08	58
		510	00	05	32			71	00	00	20
		412	00	04	35			69	00	07	60
		579	00	00	44			68	00	03	76

1	2	3	4	5	6	1	2	3	4	5	6
	Singhoda	66	00	12	78	9.	Lakhanpur	1857	00	00	13
	—Contd.	58	00	00	38			1856	00	02	78
		62	00	15	72			1855	00	11	98
		60	00	03	59			1854	00	14	69
		59	00	00	19			1846	00	04	07
		57	00	01	23			1844	00	00	10
		29	00	05	44			1843	00	03	10
		30	00	01	96			820	00	08	72
		31	00	05	63			821	00	00	10
		28	00	03	79			819	00	01	33
		32	00	07	83			818	00	03	40
		13	00	03	43			817	00	00	10
		14	00	02	99			816	00	06	20
		9/1	00	00	10			812/3	00	03	29
		9/2	00	05	96			812/2	00	00	73
		9/3	00	00	76			812/1	00	05	78
		8	00	09	27			809	00	05	49
		6	00	06	95			808/2	00	05	75
		5	00	01	14			807	00	04	46
6.	Sagarpali	109	00	05	68			803	00	05	60
		108	00	00	10			802	00	00	11
		107	00	06	13			801	00	03	43
		105	00	06	16			798	00	00	10
		104	00	04	79			796	00	05	90
		103	00	04	80			797	00	04	91
		102	00	01	94			790	00	02	45
		101	00	15	17			793	00	02	42
		93	00	08	13			792	00	05	69
		92	00	00	37			791	00	05	20
		91	00	00	10			765	00	01	83
7.	Palsabhadi	139	00	18	62			764	00	02	29
		137	00	01	53			766	00	05	36
		140	00	00	31			767	00	04	74
		136	00	00	78			768	00	03	71
		135	00	01	72			769	00	05	93
		134	00	03	84			770	00	06	44
		127	00	05	50			771	00	03	01
		126	00	15	36			777	00	00	10
		125	00	04	35			772	00	19	70
		428	00	07	20			421	00	00	09
								436	00	14	90
8.	Kharkhari	154	00	15	04			425	00	12	65
		153	00	05	54			423	00	00	97
		146	00	16	35			424	00	04	12
		148	00	02	92			416	00	01	92
		147	00	07	45			438	00	01	05
		145	00	01	82			437	00	01	54
								426	00	01	64

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	Lakhanpur	414	00	26	99		Ruda	1043	00	11	33
	—(Contd.)	412	00	07	34		—(Contd.)	1044	00	07	84
		378	00	39	06			1089	00	02	46
		400	00	00	67			1050	00	03	02
		377	00	18	31			1083	00	16	23
10.	Batki	83	00	06	20			1062	00	19	25
		82	00	00	78			1061	00	00	10
		85	00	04	66			1063	00	07	82
		86	00	07	68			1080	00	01	55
		87	00	07	52			1079	00	02	99
		78	00	02	44			1076	00	01	66
		77	00	05	78			1078	00	09	83
		261	00	02	66			1109	00	00	11
		109	00	13	89			1071	00	00	71
		110	00	01	59			1074	00	14	06
		112	00	00	48			1111	00	00	79
		113	00	12	33			1113	00	07	29
		132	00	06	18			1115	00	03	64
		131	00	05	55			1116	00	11	64
		130	00	00	10			1117	00	08	41
		134	00	05	10			808	00	08	84
		136	00	04	09			809	00	05	16
		135	00	00	61			807/1	00	04	66
		148	00	05	33			810	00	02	63
		149	00	00	10			806	00	02	97
		150	00	02	74			804	00	10	78
		151	00	04	36			802	00	02	23
		147	00	00	10			801	00	02	00
		152	00	10	88			800	00	11	51
		160	00	04	43			786	00	07	58
		161	00	06	47			785	00	00	10
		227	00	04	13			787	00	03	85
		226	00	05	67			788	00	05	53
		225	00	07	49			732	00	02	41
		172	00	06	76			733	00	00	10
		175	00	12	58			734	00	02	93
		223	00	07	25			731	00	03	80
		222	00	03	21			730	00	05	51
		224	00	02	39			729	00	04	92
		474	00	01	76			289	00	02	98
		476	00	06	02			290	00	01	85
		478	00	05	28			291	00	01	21
		479	00	06	39			293	00	05	81
		480	00	07	85			282	00	02	53
		481	00	06	42			281	00	00	99
11.	Ruda	1040	00	21	46			198	00	11	20
		1042	00	08	60			201	00	03	88
								202	00	03	62
								194	00	02	93
								191	00	17	97

1	2	3	4	5	6	1	2	3	4	5	6
	Ruda	190	00	00	20		Akashkhara	157	00	05	65
	—(Contd.)	189	00	00	10		—(Contd.)	156	00	03	27
		181	00	30	04			169	00	01	77
		137	00	03	14			43	00	21	61
		180	00	01	58			42	00	04	48
		179	00	00	75			41	00	04	04
		178	00	00	10			37	00	09	72
		68	00	02	08			36	00	00	90
		67	00	03	22			69	00	07	71
		66	00	04	68	13.	Khamharpali	120	00	00	10
		35	00	04	35			123	00	11	52
		36	00	03	97			125	00	24	44
		38	00	00	20			124	00	04	29
		37	00	07	95			140	00	00	10
		40	00	04	43			141	00	11	00
		32	00	06	75			143	00	10	93
		47	00	10	58			144	00	02	25
		53/1	00	06	14			142	00	04	04
		24/2	00	08	56			145	00	02	53
		49/1266	00	03	69			146	00	00	14
		49/1	00	00	10			134	00	02	65
		20	00	05	50			11	00	05	42
		19	00	03	13			14	00	03	16
		18	00	02	32			15	00	08	36
		17	00	02	02			42	00	16	30
		15	00	06	99			19	00	12	21
		219	00	00	30			28	00	15	74
12.	Akashkhara	278	00	04	26			29	00	08	70
		277	00	04	37			30	00	02	91
		276	00	03	46			31	00	15	56
		274	00	04	54			34	00	00	10
		273	00	08	16			109	00	05	00
		220	00	13	73			119	00	23	46
		221	00	10	82	14.	Chhindpali	1243	00	08	12
		199	00	08	06			1246	00	22	52
		200	00	04	49			1244	00	04	09
		196	00	09	19			1245	00	30	88
		197	00	08	95			1249	00	03	07
		222	00	01	81			1298	00	73	57
		185	00	05	89			1299	00	18	69
		183	00	11	73			1301	00	03	56
		182	00	10	81			1300	00	04	47
		226	00	00	13			1302	00	08	75
		148	00	13	36			1365	00	21	41
		175	00	14	06			1366	00	00	10
		151	00	06	94			1367	00	07	82
		152	00	03	84			1368	00	08	98
		154	00	06	17			1369	00	02	21
								1372	00	03	70
								1373	00	03	25

1	2	3	4	5	6	1	2	3	4	5	6
	Chhindpali	1374	00	08	99		Chhindpali	504	00	04	54
	— (Contd.)	1423	00	35	96		— (Contd.)	505	00	03	66
		1421	00	04	95			286	00	00	15
		1433	00	06	49			285	00	15	31
		1416	00	20	77			510	00	08	69
		1446	00	00	10			511	00	28	79
		1444	00	12	19			278	00	00	20
		1445	00	04	17						
		1456/7	00	01	85	15.	Chhattigirola	235	00	00	31
		1457/1	00	08	59			244	00	17	29
		711/2	00	10	59			245	00	03	51
		711/4	00	00	10			236	00	00	29
		712	00	05	89			243	00	00	96
		713	00	01	41			237	00	13	62
		709	00	02	82			238	00	02	30
		720	00	28	20			232	00	07	79
		721	00	06	20			233	00	00	97
		722	00	14	97			218	00	06	21
		608	00	01	70			215	00	03	60
		395	00	08	82			217	00	02	64
		396	00	08	55			216	00	05	18
		397	00	04	47			213	00	15	06
		398	00	14	96			50	00	04	46
		400	00	14	70			124/1	00	07	47
		439	00	06	08			124/2	00	02	63
		437	00	18	19			211	00	05	65
		438	00	00	48			123/1	00	12	93
		436	00	02	65			123/2	00	00	20
		435	00	02	51			134	00	01	14
		433	00	00	10			122/1	00	02	85
		434	00	03	64			67/1	00	15	71
		430	00	08	50			79	00	02	90
		429	00	08	06			78	00	04	21
		476	00	02	37			80	00	06	31
		428	00	11	11			75	00	00	15
		426	00	06	61			81	00	01	25
		425	00	10	17			82	00	10	65
		496	00	06	67			70/2	00	07	04
		497	00	02	35			70/1	00	04	76
		498	00	03	36			35	00	14	64
		499	00	02	93			34	00	01	73
		423	00	06	69			33	00	11	21
		500	00	02	41			32	00	04	06
		502	00	03	01						
		502/1497	00	01	93						
		503	00	01	56						

1	2	3	4	5	6	1	2	3	4	5	6
16.	Bondanavapali	867	00	35	62	Darrabhata	1087	00	15	50	
		866	00	09	40	—(Contd.)	1118	00	20	78	
		868	00	08	27		1108	00	00	10	
		865	00	03	83		1107	00	01	44	
		885	00	11	70		1103	00	03	92	
		880	00	00	79		1099	00	00	50	
		883	00	17	23		1100	00	04	38	
		884	00	05	53		1102	00	00	64	
		882	00	06	59		1101	00	05	29	
		886	00	21	07		1038	00	03	18	
		856	00	04	54		1037	00	01	95	
		780	00	18	56		1036	00	02	86	
		781	00	00	79		1035	00	05	77	
		775	00	08	19		1034/2	00	05	79	
		776	00	08	61		1032	00	06	22	
		773	00	11	10		1031	00	12	40	
		777	00	02	00		996	00	13	03	
		762	00	17	96		997	00	09	03	
		758/2389/3	00	12	32		962	00	26	17	
		799	00	00	15		984	00	07	75	
		749	00	26	93		983	00	06	26	
		750	00	00	16		985	00	01	52	
		747/2	00	08	29		981/2	00	18	89	
		813	00	59	98		975	00	15	99	
		812	00	07	02		976	00	00	28	
		815	00	22	17		974	00	03	69	
		779	00	00	86		973	00	00	60	
17.	Darrabhata	1328	00	37	34		972	00	11	35	
		1288	00	03	42	18. Baidpali	895	00	55	75	
		1274	00	27	52		881	00	00	61	
		1273	00	08	47		896	00	92	95	
		1272/3	00	04	45		826	00	03	12	
		1272/1	00	01	07		425/915	00	02	09	
		1272/2	00	04	94		825/2	00	02	67	
		1275	00	00	32		827/2	00	11	67	
		1236	00	06	20		821	00	19	31	
		1082	00	13	93		829	00	07	85	
		1154	00	01	38		830	00	03	16	
		1083	00	08	40		833	00	13	19	
		1086	00	03	82		507	00	02	48	
		1085	00	09	85		509	00	05	98	

1	2	3	4	5	6	1	2	3	4	5	6
	Baidpali	508	00	06	00		Balsi	1002	00	05	96
	---(Contd.)	515	00	22	53		---(Contd.)	1000	00	07	71
		514	00	06	82			1008	00	05	72
		541	00	16	09			1009	00	08	07
		540	00	01	69			1018	00	00	30
		542	00	05	31			1019	00	07	77
		547	00	00	45			1021	00	05	45
		546	00	04	32			1020	00	01	14
		545	00	01	69			1035	00	04	47
		549	00	07	82			1033	00	03	43
		701	00	12	95			1032	00	04	72
		710	00	01	01			1031	00	02	36
		699	00	12	77			1030	00	06	93
		698	00	06	23			1043	00	01	46
		711	00	02	95			1044	00	02	39
		697	00	13	68			1029	00	16	16
		695	00	09	24			1065	00	06	13
		693	00	05	53			1066	00	04	47
		640	00	03	70			1067	00	05	01
		639/1	00	12	40			1068	00	02	49
		638	00	07	94			1070	00	07	34
		637	00	12	06			1069	00	01	43
		630	00	07	27			1074	00	01	73
		631	00	00	14			915	00	18	64
		629	00	04	12			912	00	00	74
		628	00	00	24			913	00	27	32
		627	00	01	37			884	00	09	96
		622	00	10	55			885	00	00	19
19.	Balsi	1144	00	08	50			874	00	00	28
		1147	00	01	32			883	00	24	04
		1146	00	02	16			875	00	04	65
		1148	00	00	83			878	00	12	83
		1145	00	01	69			880	00	14	11
		1140	00	23	65			679/3	00	06	44
		1139	00	01	05			679/4	00	14	13
		1141	00	01	36			676	00	16	84
		1138	00	06	75			679/2	00	00	84
		1137	00	08	22			679/1	00	06	59
		531	00	08	98			681	00	03	34
		1152	00	07	50			682	00	23	18
		1136	00	09	24			687	00	06	02
		1133	00	13	43			686/1	00	04	52
		1006	00	02	65			684	00	14	28
		1001	00	01	81						

1	2	3	4	5	6	1	2	3	4	5	6
	Balsi	685	00	15	53		Lukapara	267	00	00	60
	—(Contd.)	698	00	06	86		—(Contd.)	246	00	14	66
		720	00	13	92			245	00	06	28
		719	00	01	13			221	00	06	01
		722	00	49	41			195	00	14	84
		780	00	12	47			196	00	04	03
		779	00	10	41			190	00	04	38
		778	00	02	08			197	00	00	35
		777	00	06	60			189	00	20	31
		763	00	13	82			163	00	01	88
		762	00	05	96			188	00	00	10
		764/2	00	29	64			164	00	09	57
		764/3	00	09	71			165	00	04	61
		764/5	00	10	25			166	00	01	01
		765	00	10	87			159	00	14	06
		764/1	00	10	86			154	00	01	45
20.	Baherapali	737	00	10	25			153	00	06	82
		736	00	08	24			151	00	08	86
		726	00	23	45			138	00	12	86
		725	00	08	54			137	00	01	91
		724	00	18	28			141	00	18	32
		723	00	11	69			133	00	09	74
		722	00	04	09			132	00	08	51
		721	00	14	01			131	00	05	85
		706	00	03	33			130	00	14	22
		705	00	07	69			78	00	04	83
		702	00	10	32			77	00	00	62
		701	00	05	32			73	00	20	57
		703	00	08	50			71	00	03	17
		693	00	00	10			72	00	05	57
		692	00	21	31			53	00	16	97
21.	Lukapara	291	00	00	77			45	00	02	20
		290	00	06	04			49	00	01	09
		261	00	05	59			50	00	12	44
		260	00	04	24			48	00	05	28
		259	00	16	11						
		254	00	00	10	22.	Parsada	150	00	06	84
		258	00	09	97			1	00	00	10
		257	00	00	10						
		256	00	01	90						

नई दिल्ली, 16 अगस्त, 2010

का.आ 2060.—केन्द्रीय सरकार को लोकाहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन" बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में श्री दिलीप कुमार अग्रवाल, सहाय प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर राँची पाइपलाइन परियोजना, एन-17, सेक्टर 2, अर्वाँति बिहार, रायपुर-492006 (छत्तीसगढ़) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील-सरायपाली	जिला-महासमुंद	राज्य-छत्तीसगढ़			
क्रम गांव का नाम	प्लॉट नं.	क्षेत्रफल			
सं.		हेक्टर	एयर	वर्ग मीटर	
1	2	3	4	5	6
1.	बालसी	74/1	00	30	13
		764/3	00	07	66
		757	00	03	03
		764/5	00	00	10
		756	00	09	03
		764/4	00	22	15
		754	00	00	62
2.	बरिहापाली	735	00	08	04
		734	00	00	99
		733	00	14	35
		729	00	20	97
		730	00	26	29
		572	00	02	36
		505	00	46	07

1	2	3	4	5	6
	बरिहापाली	504	00	03	15
	—(जारी)	503	00	11	82
		500	00	00	66
		498	00	00	10
		507	00	25	39
		399	00	05	15
		398	00	02	54
		397	00	02	56
		396	00	20	28
		393	00	17	32
3.	मोखापुटका	2230	00	22	45
		2231	00	03	51
		2232	00	00	10
		2236	00	06	71
		2239	00	06	53
		2240	00	08	69
		2241	00	03	94
		2195	00	07	54
		2194	00	02	80
		2198	00	02	04
		2199	00	00	10
		2192	00	00	10
		2190	00	14	02
		2191	00	03	09
		2155	00	09	22
		2154	00	08	35
		1867	00	10	99
		1766	00	12	15
		1827	00	09	98
		1835	00	11	18
		1836	00	07	88
		1838	00	16	44
		2006	00	00	10
		2005	00	06	06
		2004	00	01	87
		2003	00	08	63
		2002	00	04	21
		2009	00	00	10
		1997	00	05	66
		1994	00	02	68
		1993	00	04	13
		1992	00	03	82
		1991	00	00	96
		1969	00	05	11
		1968	00	04	59
		1967	00	02	80
		1966	00	03	47
		1971	00	00	17
		1965	00	01	00
		1960	00	02	68

1	2	3	4	5
मोखापुटका	1945	00	00	32
—(जारी)	1961	00	00	52
	1959	00	04	26
	1958	00	03	51
	1950	00	01	54
	1956	00	05	41
	1951	00	01	11
	1955	00	00	38
	1952	00	06	24
	1954	00	00	16
	1953	00	13	23
	1932	00	00	92
4. कनकवा	1107	00	29	45
	1111	00	07	24
	1110	00	07	72
	1109	00	02	54
	1112	00	39	66
	1149	00	01	35
	1148	00	01	35
	1147	00	06	92
	1159	00	04	08
	1157	00	05	29
	1156	00	00	58
	1155	00	03	34
	1162	00	25	74
	1179	00	00	10
	1191	00	14	34
	1180	00	11	67
	1187	00	10	82
	1185	00	00	20
	1186	00	09	11
	1234	00	07	32
	1235	00	07	77
	1236	00	00	13
	1247	00	05	50
	1246	00	03	44
	1255	00	02	67
	1256	00	00	10
	1245	00	00	87
	1242	00	27	44
	1263	00	01	15
	1530	00	18	94
	1529	00	05	37
	1524	00	00	40
	1525	00	11	61
	1226	(x)	29	85
	1528	00	07	28
	1527	00	04	31

[सं. आर. 25011/20/2010-ओआर-1]

बी. के. दत्ता, अवर सचिव

New Delhi, the 16th August, 2010

S.O 2060.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand), "Paradip-Sambalpur-Raipur-Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification,

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein:

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the General Public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri Dilip Kumar Agrawal, Competent Authority, Indian Oil Corporation Limited, Paradip-Sambalpur-Raipur-Ranchi Pipeline Project, N-17, Sector -2, Avanti Vihar, Raipur - 492006, Chhattisgarh.

SCHEDULE

Tehsil : Saraipali District : Mahasamund

State : Chhattisgarh

Sr. No.	Name of the Village	Khasara No.	Area Hectare	Sq. mtr.
1	2	3	4	5
1.	Balsi	74/1	00	30
		764/3	00	07
		757	00	03
		764/5	00	00
		756	00	09
		764/4	00	22
		751	00	00
2.	Barihapali	735	00	08
		734	00	00
		733	00	14
		729	00	20
		730	00	26
		572	00	02
		505	00	46
		504	00	03
		503	00	11
		500	00	00
		498	00	00

1	2	3	4	5	6	1	2	3	4	5	6
	Barihapali	507	00	25	59		Mokhaputka	1959	00	04	26
	—(Contd.)	399	00	05	15		—(Contd.)	1958	00	03	51
		398	00	02	54			1950	00	01	54
		397	00	02	56			1956	00	05	41
		396	00	20	28			1951	00	01	11
		393	00	17	32			1955	00	00	38
3.	Mokhaputka	2230	00	22	45			1952	00	06	24
		2231	00	03	51			1954	00	00	16
		2232	00	00	10			1953	00	13	23
		2236	00	06	71			1932	00	00	92
		2239	00	06	53	4.	Kankewa	1107	00	29	45
		2240	00	08	69			1111	00	07	24
		2241	00	03	94			1110	00	07	72
		2195	00	07	54			1109	00	02	54
		2194	00	02	80			1112	00	39	66
		2198	00	02	04			1149	00	01	35
		2199	00	00	10			1148	00	01	35
		2192	00	00	10			1147	00	06	92
		2190	00	14	02			1159	00	04	08
		2191	00	03	09			1157	00	05	29
		2155	00	09	22			1156	00	00	58
		2154	00	08	35			1155	00	03	34
		1867	00	10	99			1162	00	25	74
		1766	00	12	15			1179	00	00	10
		1827	00	09	98			1191	00	14	34
		1835	00	11	18			1180	00	11	67
		1836	00	07	88			1187	00	10	82
		1838	00	16	44			1185	00	00	20
		2006	00	00	10			1186	00	09	11
		2005	00	06	06			1234	00	07	32
		2004	00	01	87			1235	00	07	77
		2003	00	08	63			1236	00	00	13
		2002	00	04	21			1247	00	05	50
		2009	00	00	10			1246	00	03	44
		1997	00	05	66			1255	00	02	67
		1994	00	02	68			1256	00	00	10
		1993	00	04	13			1245	00	00	87
		1992	00	03	82			1242	00	27	44
		1991	00	00	96			1263	00	01	15
		1969	00	05	11			1530	00	18	94
		1968	00	04	59			1529	00	05	37
		1967	00	02	80			1524	00	00	40
		1966	00	03	47			1525	00	11	61
		1971	00	00	17			1226	00	29	85
		1965	00	01	00			1528	00	07	28
		1960	00	02	68			1527	00	04	31
		1945	00	00	32						
		1961	00	00	52						

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 22 जुलाई, 2010

का.आ. 2061.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाइफ इश्योरेंस कॉरपोरेशन ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/श्रम न्यायालय, जोधपुर के पंचाट (संदर्भ संख्या 6/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-7-2010 को प्राप्त हुआ था।

[सं. एल- 17012/7/2002-आईआर/(एम)]

अनिल कुमार शर्मा, अनुभाग अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 22nd July, 2010

S.O. 2061.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 6/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Jodhpur now as shown in the annexure, in the industrial dispute between the management of Life Insurance Corporation of India and their workmen, which was received by the Central Government on 21-07-2010.

[No. L-17012/7/2002-IR/(M)]

ANIL KUMAR SHARMA, Section Officer

अनुबन्ध

औद्योगिक विवाद अधिकरण एवं श्रम न्यायालय, जोधपुर
पीठसीन अधिकारी:— श्री एच.आर. नागौरी, आर.एच.जे.एस.

औद्योगिक विवाद (केन्द्रीय) संख्या :— 6 सन् 2008

शक्तिसिंह पुत्र श्री रामचन्द्र निवासी बागार बैरी किल्ला रोड, जोधपुर।
.....प्राथी

बनाम

दी डिवीजनल मैनेजर लाइफ इश्योरेंस कॉरपोरेशन ऑफ इण्डिया,
डिवीजन ऑफिस, जीवन प्रकाश सर्किट हाऊस रोड, जोधपुर।

.....अप्रार्थी

उपस्थिति:—

(1) प्राथी के प्रतिनिधी—श्री आर.एस.सलूजा उपस्थित

(2) अप्राथी के प्रतिनिधी—श्री धुपेन्द्र कुमार भटनागर उपस्थित

अधिनिर्णय

दिनांक : 3-3-2010

1. भारत सरकार के श्रम मंत्रालय ने अपनी अधिसूचना क्रमांक एल. 17012/7/2002-आईआर. (एम.) नई दिल्ली दिनांक 3-6-2005 के द्वारा निम्न अधिनिर्णय हेतु इस न्यायालय को प्रेषित किया गया है। :—

“Whether the Industrial dispute raised by Sh. Shakti Singh S/o Sh. Ram Chandra against the management of Life Insurance Corporation over his termination from service w.e.f. 2-1-2001 justified? If, so, to what relief the concerned workman is entitled?”

2. प्राथी ने अपने मांग-पत्र में यह उल्लेख किया है कि उसने अप्राथी के यहां चौकीदार के पद के लिए आवेदन किया था तथा अप्राथी ने प्राथी को अपने पत्र दिनांक 26-5-2000 के द्वारा साक्षात्कार के लिए बुलाया था। साक्षात्कार की कॉल लेंटर को प्रदर्श-1 बताया है। प्राथी ने यह उल्लेख किया है कि अप्राथीगण ने प्राथी का इन्टरव्यू लिया तथा बाद में अपने आदेश दिनांक 26 जुलाई 2000 के द्वारा प्राथी को नियुक्ति आदेश प्रदर्श-2 के द्वारा नियुक्ति दी।

3. प्राथी ने अपने प्रार्थना-पत्र में आगे यह उल्लेख किया है कि प्राथी ने नियुक्ति के बाद चौकीदार के पद का कार्यभार ग्रहण किया। प्राथी प्रोबेशन काल में सन्तोषप्रद रूप से कार्य कर रहा था, उस समय विभाग के ट्रेड यूनियन के सचिव श्री सुरेश कुमार चाचरा ने प्राथी को एक लाख रुपये देने के लिये बाध्य किया। श्री चाचरा ने प्राथी को यह कहकर बाध्य किया कि जीवन बीमा निगम में यह राशि कर्मकार के रिक्तुमेन्ट की कोस्ट है। श्री चाचरा ने प्राथी को यह भी कहा कि यदि प्राथी यह राशि अदा नहीं करता है तो उसके शिक्षा सम्बन्धी प्रमाण-पत्रों को बदल दिया जायेगा तथा वहां कूटरचित प्रमाण-पत्र लगा दिये जायेंगे। श्री चाचरा ने प्राथी को यह भी कहा कि उसके शिक्षा सम्बन्धी प्रमाण-पत्र के स्थान पर कूटरचित प्रमाण-पत्र लगाने के बाद कूटरचित प्रमाण-पत्रों के आधार पर प्राथी की सेवा प्रोबेशनकाल में ही समाप्त कर दी जायेगी। प्राथी को श्री सुरेश कुमार चाचरा के इस कृत्य से भय हो गया कि वह अब अपना नौकरी खो देगा और इस कारण उसने शांति के लिए और यह मानते हुए कि वह ट्रेड यूनियन की ताकत को नहीं झेल पायेगा, उसने श्री सुरेश कुमार चाचरा को 35,000 रुपये दिये। प्राथी द्वारा श्री चाचरा को 35,000 रुपये देने के बाद भी श्री सुरेश कुमार चाचरा सन्तुष्ट नहीं हुआ और प्राथी को बकाया 65,000 रुपये देने के लिए बाध्य करता रहा। प्राथी यह राशि देने के लिए असमर्थ था और इस कारण उसने श्री चाचरा से जनवरी 2001 तक समय देने के लिए प्रार्थना की। जनवरी 2001 में प्राथी का प्रोबेशन पीरीयड समाप्त हो रहा था और इस कारण श्री चाचरा ने प्राथी को 65,000 रुपये देने के लिए बाध्य किया और नहीं देने पर इस राशि की अदायगी को सुनिश्चित करने के लिए। जनवरी 2001 का पोस्ट डेटेड त्याग-पत्र लिखने के लिए कहा। प्राथी ने यह उल्लेख किया है कि उसने उसकी तथा श्री चाचरा की बात-चीत को टेपरिकोर्ड पर रिकोर्ड कर लिया। प्राथी ने टेप-रिकोर्ड पर रिकोर्ड की गई वार्ता को लेखबद्ध कर इस प्रार्थना-पत्र के साथ प्रदर्श-3 के रूप में प्रस्तुत किया।

4. प्राथी ने अपने प्रार्थना-पत्र में आगे यह उल्लेख किया है कि वह उक्त 65,000 रुपये की बकाया राशि को देने में असमर्थ था और इस कारण श्री सुरेश कुमार चाचरा द्वारा उक्त पोस्ट डेटेड त्याग-पत्र का उपयोग किया गया और उस त्याग-पत्र को डिवीजनल मैनेजर के ऑफिस में प्रस्तुत कर दिया। प्राथी ने यह उल्लेख किया है कि वह त्याग-पत्र सहज ही डिवीजनल मैनेजर द्वारा स्वीकार कर लिया गया। इस त्याग-पत्र स्वीकृति का आदेश प्रदर्श-4 बताया।

5. प्रार्थी ने अपने प्रार्थना-पत्र में आगे यह उल्लेख किया है कि उक्त तथ्यों से यह स्पष्ट है कि प्रार्थी ने उक्त त्याग-पत्र अपनी स्वतंत्र इच्छा से प्रस्तुत नहीं किया है। प्रार्थी ने यह उल्लेख किया है कि यह त्याग-पत्र उसने युनियन नेता श्री सुरेश कुमार चाचरा के दबाव में प्रस्तुत किया है। प्रार्थी ने यह भी उल्लेख किया है कि जिस त्वरितता (speed) से यह त्याग-पत्र स्वीकार किया गया है उससे श्री सुरेश कुमार चाचरा का यह आरोप सही प्रमाणित होता है कि उक्त एक लाख रुपये की राशि अप्रार्थी जीवन बीमा निगम में नियोजन प्राप्त करने के लिए खर्च करनी पड़ती है। प्रार्थी ने यह उल्लेख किया है कि उस पर दबाव देकर रुपये प्राप्त कर त्याग-पत्र को स्वीकार करने के परिणामस्वरूप उसकी सेवामुक्ति स्पष्ट रूप से अवैध है। प्रार्थी ने यह भी उल्लेख किया है कि उसकी सेवामुक्ति औद्योगिक विवाद अधिनियम के प्रावधानों के विपरित है। यह अनफेयर लेबर प्रैक्टिस में आता है। प्रार्थी ने यह भी उल्लेख किया है कि यह मामला कर्मकार के शोषण का होकर अनफेयर लेबर प्रैक्टिस का है। प्रार्थी औद्योगिक विवाद अधिनियम की धारा 2(एस) के अन्तर्गत कर्मकार की परिभाषा में आता है तथा उसके साथ औद्योगिक विवाद अधिनियम के प्रावधानों के विपरित अनफेयर लेबर प्रैक्टिस की गई है। उक्त आधारों पर प्रार्थी ने यह प्रार्थना की है कि उसके विवादित त्याग-पत्र के आधार पर उसकी सेवा समाप्त करने वाले आदेश दिनांक 1 जनवरी 2001 को अवैध घोषित कर उसे निरस्त किया जावे और प्रार्थी को पुनः सेवा में स्थापित किया जावे तथा उसे सेवा के सभी लाभ प्रदान करवाये जावें।

6. अप्रार्थी निगम ने अपने प्रतिउत्तर में यह उल्लेख किया है कि इस न्यायाधिकरण को जो रेफरेंस केंद्रीय सरकार द्वारा किया गया है वह पूर्णतया गलत है, उस आधार पर यह न्यायाधिकरण कोई कार्यवाही नहीं कर सकता है। अप्रार्थी ने यह उल्लेख किया है कि यह एक स्वीकृत तथ्य है कि प्रार्थी की सेवामुक्ति नहीं की गई बल्कि उसके द्वारा दिनांक 1-1-2001 को अपनी स्वेच्छा से त्याग-पत्र दिया गया था और जो अप्रार्थी निगम ने अपने आदेश दिनांक 1-1-2001 के द्वारा दिनांक 3-1-2001 को स्वीकार कर लिया था। इस न्यायाधिकरण को प्राप्त रेफरेंस में प्रार्थी की सेवा समाप्त दिनांक 1-1-2001 से किया जाना पूरी तरह से गलत है।

7. अप्रार्थी ने यहाँ प्रार्थी की चौकीदार के पद पर नियुक्ति करने के तथ्य का स्वीकार किया है, लेकिन अन्य तथ्यों को अस्वीकार किया है। अप्रार्थी निगम ने यह उल्लेख किया है कि प्रार्थी द्वारा प्रस्तुत समस्त तथ्य गलत तथा मनगढ़त हैं। अप्रार्थी निगम ने यह उल्लेख किया है कि प्रार्थी पर दबाव के सम्बन्ध में प्रार्थी ने कभी भी अप्रार्थी निगम को अथवा अन्य किसी भी ओथोरिटी को कोई सूचना अथवा रिपोर्ट नहीं दी। इस तथ्य को गलत बताया है कि श्री सुरेश कुमार चाचरा ने प्रार्थी का त्याग-पत्र प्रस्तुत किया। अप्रार्थी निगम ने यह उल्लेख किया है कि प्रार्थी स्वयं ने अपनी स्वेच्छा से अप्रार्थी निगम को अपना त्याग-पत्र प्रस्तुत किया था और उस त्याग-पत्र को अप्रार्थी निगम ने नियमानुसार स्वीकार किया था। अप्रार्थी निगम ने यह उल्लेख किया है कि प्रार्थी द्वारा किये गये कथन पूर्णतया After thought हैं। अप्रार्थी निगम ने यह उल्लेख किया है कि प्रार्थी के विरुद्ध योग्यता के जाली प्रमाण-पत्र देने के सम्बन्ध में शिकायत प्राप्त हुई थी और अप्रार्थी निगम ने दिनांक 22-12-2000 के पत्र के द्वारा प्रार्थी से स्पष्टीकरण की मांग

की थी। इस पर प्रार्थी ने दिनांक 26-12-2000 को स्पष्टीकरण हेतु केवल अपने स्कूल के स्थानान्तरण प्रपत्र की फोटो प्रति प्रस्तुत की और अन्य कोई दस्तावेज प्रस्तुत नहीं किया। दिनांक 1-1-2001 के अपने त्याग-पत्र में प्रार्थी ने घरेलू परिस्थिति का कारण उल्लेख कर अप्रार्थी निगम की सेवा से त्याग-पत्र दिया। प्रार्थी पाँचवींक्षा काल में था अतः उसे किसी प्रकार का कोई नोटिस इत्यादि देने की आवश्यकता नहीं थी। प्रार्थी द्वारा नियुक्ति कपटपूर्वक झूठे दस्तावेज के आधार पर ली गई थी और शिकायत होने पर उसने त्याग-पत्र दे दिया। अप्रार्थी निगम ने यह उल्लेख किया है कि प्रार्थी द्वारा प्रेषित एक प्रार्थना-पत्र अप्रार्थी निगम में दिनांक 23-7-2001 को प्राप्त हुआ था और उसमें उसने यह अंकित किया था कि उसके द्वारा पूर्व में दिया प्रमाण-पत्र गलत था और वह अब सही प्रमाण-पत्र दे रहा है और इस आधार पर उसने पुनः नियुक्ति देने की प्रार्थना की थी। उक्त आधारों पर अप्रार्थी निगम ने प्रार्थी का प्रार्थना-पत्र निरस्त करने की प्रार्थना की।

8. प्रार्थी ने एक जवाबुल जवाब भी प्रस्तुत किया। प्रार्थी ने अपने जवाबुल जवाब में यह उल्लेख किया है कि रेफरेंस दिनांक 3-6-2005 केंद्रीय सरकार ने माननीय उच्च न्यायालय के निर्णय/आदेश दिनांक 27-5-2005 के अनुसरण में किया था। माननीय उच्च न्यायालय ने यह आदेश दोनों पक्षों को प्रार्थी की सेवामुक्ति के बिन्दु पर सुनकर पारित किया था। प्रार्थी ने यह उल्लेख किया है कि इन परिस्थितियों में अप्रार्थी उक्त रेफरेंस के सम्बन्ध में कोई आपत्ति प्रस्तुत नहीं कर सकता है। प्रार्थी ने स्वयं ने अपनी सेवा छोड़ी है अथवा अप्रार्थी द्वारा प्रार्थी की सेवा समाप्त की गई है, इस बिन्दु पर इस न्यायाधिकरण को निर्णय करना है। प्रार्थी ने यह उल्लेख किया है कि प्रार्थी ने त्याग-पत्र प्रस्तुत नहीं किया था। अभिलेख से यह साफ स्पष्ट है कि उक्त त्याग-पत्र दिनांक 1-1-2001 का था और अप्रार्थी द्वारा जल्दी में दिनांक 3-1-2001 को स्वीकार कर लिया गया था। प्रार्थी ने यह उल्लेख किया है कि ऐसा षडयंत्र कर किया गया है। प्रार्थी ने यह उल्लेख किया है कि उसने अपनी योग्यता के सम्बन्ध में कोई कूरचित दस्तावेज प्रस्तुत नहीं किया है। प्रार्थी ने दिनांक 20-12-2000 के नोटिस की पालना में दिनांक 26-12-2000 को अपना स्पष्टीकरण दिया था और अप्रार्थी निगम ने प्रार्थी के उत्तर तथा उसके द्वारा प्रस्तुत दस्तावेज से सन्तुष्ट होकर अप्रार्थी निगम ने प्रार्थी के विरुद्ध कोई कार्यवाही नहीं की थी। द्वेषता स्वेच्छाचारिता तथा षडयंत्र से यह स्पष्ट है कि उक्त त्याग-पत्र दिनांक 1-1-2001 को दिया गया था तथा प्रार्थी से कोई स्पष्टीकरण मांगे बिना ही उस त्याग-पत्र को दिनांक 3-1-2001 को स्वीकार कर लिया गया था इसका यह कारण बताया गया कि विपक्षी निगम के अधिकारी युनियन लीडर श्री चाचरा से मिले हुए थे तथा उन दोनों के बीच में nexus था। प्रार्थी ने यह उल्लेख किया है कि प्रोवेशन पीरीयड में भी नोटिस दिया जाना नियमों के अन्तर्गत त्याग-पत्र स्वीकार करने के पूर्व आवश्यक है। प्रार्थी ने कभी भी कूरचित दस्तावेज पेश नहीं किये।

9. प्रार्थी ने अपने प्रार्थना-पत्र में उल्लेख किये गये तथ्यों की पुष्टि में स्वयं का शपथ-पत्र प्रस्तुत किया। उसमें प्रतिपरीक्षा की गई। साक्ष्य में नियुक्ति-पत्र प्रदर्श-1, टेपरिकॉर्ड से टेप की गई वार्ता का विवरण प्रदर्श-2 तथा त्याग-पत्र स्वीकृति का पत्र प्रदर्श-3 को प्रस्तुत कर प्रदर्श करवाये गये। अप्रार्थी की ओर से श्री आर.सी.माधुर का शपथ-पत्र प्रस्तुत हुआ। उसमें भी प्रतिपरीक्षा की गई।

10. वहस उभय-पक्ष सुनी गई। पत्रावली का अवलोकन किया गया।

11. विद्वान प्रतिनिधि प्रार्थी का यह तर्क है कि प्रार्थी से श्रम संगठन के सचिव श्री सुरेश कुमार चाचरा ने एक लाख रुपये की माँग की थी तथा यह धमकी दी कि यदि प्रार्थी उसे एक लाख रुपये नहीं देगा तो वह प्रार्थी की सेवाएँ येन-केन प्रकारेण समाप्त करवा देगा। विद्वान प्रतिनिधि प्रार्थी का यह तर्क है कि प्रार्थी ने पैंतीस हजार रुपये श्री सुरेश कुमार चाचरा को दे दिये थे तथा बाकी पैंतीस हजार रुपये के लिए श्री चाचरा ने प्रार्थी से जबरदस्ती त्याग-पत्र लिखवा लिया और प्रार्थी द्वारा बाकी पैंसठ हजार रुपये की व्यवस्था नहीं होने पर श्री चाचरा ने यह त्याग-पत्र अप्रार्थी के अधिकारी के समक्ष प्रस्तुत कर उसे स्वीकार करवा लिया। विद्वान प्रतिनिधि प्रार्थी का यह तर्क है कि यह त्याग-पत्र प्रार्थी को भयोपरत् कर तथा दबाव देकर लिखवाया है और प्रार्थी ने यह त्याग-पत्र प्रस्तुत नहीं किया और इस कारण उसकी सेवा समाप्ति का आदेश विधिसम्मत नहीं कहा जा सकता।

12. विद्वान प्रतिनिधि प्रार्थी का यह भी तर्क है कि प्रार्थी तथा श्री सुरेश कुमार चाचरा के बीच में हुए वार्तालाप को टेपरिकॉर्ड पर रिकॉर्ड किया गया था तथा इस वार्तालाप प्रदर्श-2 से भी उक्त तथ्य प्रमाणित होता है। विद्वान प्रतिनिधि प्रार्थी का यह तर्क है कि श्री सुरेश कुमार चाचरा ने प्रार्थी का त्याग-पत्र दिनांक 1-1-2001 को प्रस्तुत किया था तथा अप्रार्थी निगम ने प्रार्थी का त्याग-पत्र उसी दिन प्रार्थी को कोई नोटिस दिये बिना तत्परता से तत्काल स्वीकार कर लिया था। विद्वान प्रतिनिधि प्रार्थी का यह तर्क है कि इन तथ्यों से भी यह तथ्य प्रमाणित होता है कि प्रार्थी का त्याग-पत्र प्रार्थी की स्वेच्छा से न होकर दबाव तथा दुष्प्रेरण से लिखवाकर प्रस्तुत किया गया था। इन आधारों पर विद्वान प्रतिनिधि प्रार्थी का यह तर्क है कि प्रार्थी की सेवामुक्ति उचित तथा वैध नहीं कही जा सकती।

13. उक्त तर्कों के विपरित विद्वान प्रतिनिधि अप्रार्थी का यह तर्क रहा है कि प्रार्थी ने 1-1-2001 को अपना त्याग-पत्र स्वेच्छापूर्वक प्रस्तुत किया था। प्रार्थी ने स्वयं ने दिनांक 1-1-2001 को अपना त्याग पत्र प्रस्तुत किया तथा उस त्याग-पत्र को तत्काल स्वीकार किये जाने के आधार पर यह उपधारणा नहीं निकाली जा सकती कि यह त्याग-पत्र प्रार्थी की स्वेच्छापूर्वक न होकर दबाव तथा दुष्प्रेरण से उसकी इच्छा के विपरित लिखवाया गया। विद्वान प्रतिनिधि अप्रार्थी का यह तर्क है कि श्री सुरेश कुमार चाचरा को साक्ष्य में प्रस्तुत नहीं किया गया है। प्रार्थी ने साक्ष्य में उस तथाकथित रूप से अपनी सुरेश कुमार चाचरा से हुई वार्तालाप की टेप को साक्ष्य में पेश नहीं किया है। टेप साक्ष्य में पेश नहीं होने से श्री सुरेश कुमार चाचरा की उस टेप में तथाकथित आवाज को प्रमाणित नहीं किया जा सका है। तथाकथित टेप के वार्तालाप को लिपिबद्ध कर प्रदर्श-2 के रूप में प्रस्तुत किये जाने से ही उक्त तथाकथित वार्तालाप प्रमाणित नहीं होता है। विद्वान प्रतिनिधि अप्रार्थी का यह तर्क है कि यदि प्रार्थी पर त्याग-पत्र देने के सम्बन्ध में कोई इस प्रकार का दबाव होता तो प्रार्थी समय पर अपने अधिकारियों को इसकी शिकायत करता। प्रार्थी द्वारा ऐसा नहीं किया

गया और ऐसी स्थिति में यह नहीं माना जा सकता कि प्रार्थी का त्याग-पत्र दबाव से उसकी इच्छा के विपरित प्रस्तुत करवाया गया। विद्वान प्रतिनिधि अप्रार्थी का यह तर्क है कि यह तथ्य प्रमाणित करने का भार प्रार्थी पर था कि वह यह प्रमाणित करता कि उक्त त्याग-पत्र उसकी इच्छा के विपरित दबाव में लिखवाया गया, लेकिन प्रार्थी इन तथ्यों को समुचित साक्ष्य से प्रमाणित करने में असमर्थ रहा है। इन तथ्यों के आधार पर विद्वान प्रतिनिधि अप्रार्थी का यह मानना है कि प्रार्थी की सेवामुक्ति अवैध तथा अनुचित प्रमाणित नहीं होती है। विद्वान प्रतिनिधि अप्रार्थी ने अपने इन तर्कों की पुष्टि में एक विधिक दृष्टांत गुजरात लेबर इण्डस्ट्रीज लिमिटेड बनात अब्दुल सत्तार गुलामरसूल शेख 2001 III एल.एल.जे.(सप्लीमेन्ट्री) गुजरात पेज 11 प्रस्तुत किया है माननीय न्यायालय ने इस विधिक दृष्टांत में निम्न सिद्धांत प्रतिपादित किया है:-

“Bombay Industrial Employment (Standing Orders) Rules, 1959-Rule 23(5)-Resignation-Respondent Permanent worker-Resignation accepted immediately- Employer not waiting for 30 days-Industrial Dispute raised after 6 years-Involuntary resignation under threat alleged- Reinstatement awarded-Labour Court holding obligatory for employer to wait for 30 days-No obligation on part of employer to wait for 30 days after resignation tendered by employee but obligation on employee to give one month's notice of intention of resigning from service and no evidence to show said resignation obtained under threat, coercion or inducement.”

14. हमने उक्त तर्कों पर पत्रावली पर उपलब्ध साक्ष्य के परिप्रेक्ष्य में विचार किया तथा उक्त विधिक दृष्टांत का भी अध्ययन किया। प्रार्थी ने अपनी प्रतिपरीक्षा के अन्त में इस तथ्य को सही बताया है कि उसने अपनी घरेलू परिस्थितियों के कारण नौकरी छोड़ी है यद्यपि इसके बाद इस साक्षी ने कहा है कि उससे जबरदस्ती त्याग-पत्र लिखवाया गया था और उसकी कोई घरेलू परिस्थितियाँ नहीं थी। यह एक तथ्य है कि प्रार्थी का त्याग-पत्र दिनांक 1-1-2001 को प्रस्तुत हुआ था तथा इस त्याग-पत्र को उसी दिन स्वीकार कर लिया गया था। इस प्रकार प्रार्थी का त्याग-पत्र तत्काल तथा तत्परता से स्वीकार किया गया, लेकिन उक्त विधिक दृष्टांत में प्रतिपादित सिद्धांत के परिप्रेक्ष्य में हमारी यह राय है कि केवल यही तथ्य इस बात का प्रमाण नहीं माना जा सकता कि प्रार्थी से उक्त त्याग पत्र जबरदस्ती तथा दबाव से लिखवाया गया।

15. प्रार्थी को यह प्रमाणित करने के लिए कि उससे यह त्याग-पत्र दबाव तथा दुष्प्रेरण से लिखवाया गया है, उसे यह तथ्य अपनी स्पष्ट साक्ष्य से प्रमाणित करना था। इस तथ्य को प्रमाणित करने का भार प्रार्थी पर था। प्रार्थी ने इसके लिए स्वयं तथा

श्री सुरेश कुमार चाचरा की तथाकथित टेपरिकॉर्ड पर टेप की गई वार्ता का लेख प्रदर्श-2 साक्ष्य में प्रस्तुत किया है। हमारी यह राय है कि प्रार्थी ने इस लेख को समुचित साक्ष्य से प्रमाणित नहीं करवाया है। प्रार्थी ने न तो उक्त सुरेश कुमार चाचरा को साक्ष्य में प्रस्तुत किया है और न ही उक्त तथाकथित टेप को साक्ष्य में पेश किया है। प्रार्थी द्वारा उक्त तथाकथित टेप साक्ष्य में पेश नहीं करने के कारण यह तथ्य प्रमाणित नहीं होता है कि लेख प्रदर्श-2 उसी तथाकथित टेप से लिपिबद्ध कर तैयार किया गया है। उक्त तथाकथित टेप साक्ष्य में प्रस्तुत नहीं होने से उस तथाकथित टेप में श्री सुरेश कुमार चाचरा की तथाकथित आवाज का श्री सुरेश कुमार चाचरा की आवाज से सत्यपान नहीं हो सका है। इसके अलावा यहाँ यह उल्लेख करना भी समीचीन है कि प्रार्थी ने न तो अपने माँग-पत्र और न ही लेख प्रदर्श-2 में यह स्पष्ट किया है कि उसके तथा श्री सुरेश कुमार चाचरा के मध्य यह तथाकथित वार्तालाप कौन सी तिथि को हुआ था। अतः समस्त परिस्थितियों पर सावधानीपूर्वक विचार करने के पश्चात् हमारी राय में पत्रावली पर ऐसी कोई साक्ष्य नहीं है जिसके आधार पर यह माना जा सके कि उक्त त्याग-पत्र प्रार्थी की इच्छा के विपरित उसपर दबाव देकर लिखवाया गया।

16. पत्रावली पर यह साक्ष्य है कि प्रार्थी ने कोई कुटरचित दस्तावेज पेश कर अप्रार्थी निगम में चौकीदार के पद की नौकरी प्राप्त की थी यद्यपि यह तथ्य समुचित साक्ष्य से प्रमाणित नहीं हुआ है, लेकिन प्रार्थी ने अपनी प्रतिपरीक्षा में यह उल्लेख किया है कि उसे पुलिस को बुलाने की धमकी दी थी। यदि प्रार्थी का कहीं दोष नहीं था और प्रार्थी के सारे दस्तावेज सही थे, तो चाहे प्रार्थी को पुलिस बुलाने की धमकी दी गई हो, लेकिन इससे प्रार्थी को भयभीत होने की कोई आवश्यकता नहीं थी। पत्रावली पर उपलब्ध साक्ष्य से यह तथ्य सामने आता है कि सम्भवतः प्रार्थी द्वारा कोई गलत दस्तावेज प्रस्तुत कर नौकरी प्राप्त की गई थी और जब यह तथ्य सामने आया तो प्रार्थी ने अन्य कोई कार्यवाही से बचने के लिए स्वेच्छापूर्वक अपना त्याग-पत्र प्रस्तुत किया।

17. हमने ऊपर उल्लेख किया है कि प्रार्थी ने न तो अपने माँग पत्र में और न ही लेख प्रदर्श-2 में यह स्पष्ट किया है कि उसके तथा श्री सुरेश कुमार चाचरा के मध्य वार्तालाप कब हुआ। प्रार्थी ने अपने माँग-पत्र में यह उल्लेख किया है कि उसकी नियुक्ति के पश्चात् श्री सुरेश कुमार चाचरा ने उससे एक लाख रुपये माँगे और उस समय प्रार्थी ने उसे पैंतीस हजार रुपये अदा किये, लेकिन सुरेश कुमार चाचरा उसपर दबाव डालता रहा तथा पैंसठ हजार रुपये की और माँग करता रहा तथा अन्त में प्रार्थी ने पैंसठ हजार रुपये अदा करने के लिए सुरेश कुमार चाचरा से समय माँगा और उसके साथ ही उसने अपना त्याग पत्र अगली तारीख में लिखा। इन तथ्यों से यह स्पष्ट है कि यदि इस प्रकार प्रार्थी तथा श्री सुरेश कुमार चाचरा के बीच ऐसी कोई बात हुई तो यह बात लम्बी अवधि तक चली। यह एक स्वाभाविक मानवीय आचरण है कि यदि ऐसी कोई बात होती है तो जिस व्यक्ति के साथ ऐसी बात होती है वह व्यक्ति अपने उच्च अधिकारियों तथा मित्रों के मध्य ऐसी बात की चर्चा करता है और

शिकायत भी कर सकता है। पत्रावली पर ऐसी कोई साक्ष्य नहीं है कि प्रार्थी ने इस सम्बन्ध में अपने साधियों तथा अपने अधिकारियों से चर्चा की और कोई शिकायत प्रस्तुत की। हमारी यह राय है कि प्रार्थी का यह आचरण स्वाभाविक मानवीय आचरण के विपरित है। अतः समस्त परिस्थितियों पर सावधानीपूर्वक विचार करने के पश्चात् हमारी राय में अप्रार्थी निगम द्वारा प्रार्थी के त्याग-पत्र दिनांक 1-1-2001 को स्वीकार कर दिनांक 2-1-2001 से प्रार्थी की सेवा समाप्त करना उचित तथा विधिसम्मत है। समस्त परिस्थितियों पर सावधानीपूर्वक विचार करने के पश्चात् प्रार्थी किसी अनुतोष को प्राप्त करने का अधिकारी नहीं है।

आदेश

18. अतः यह अधिनिर्णित किया जाता है कि अप्रार्थी भारतीय जीवन बीमा निगम द्वारा प्रार्थी शक्तिसिंह के त्याग-पत्र दिनांक 1-1-2001 को स्वीकार कर दिनांक 2-1-2001 से सेवा समाप्त करना उचित तथा वैध है। प्रार्थी अप्रार्थी से कोई अनुतोष प्राप्त करने का अधिकारी नहीं है।

19. इस अधिनिर्णय को प्रकाशनार्थ भारत सरकार के श्रम मंत्रालय को प्रेषित किया जावे।

20. यह अधिनिर्णय आज दिनांक 03-03-2010 को खुले न्यायालय में हस्ताक्षर कर सुनाया गया।

एच. आर. नागौरी, न्यायाधीश

नई दिल्ली, 23 जुलाई, 2010

का.आ. 2062.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू.सी. एल. के प्रबंधन के संयुक्त नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 163/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2010 को प्राप्त हुआ था।

[सं. एल. 22012/151/1993 आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 23rd July, 2010

S.O. 2062.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 163/93) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the annexure, in the industrial dispute between the management of WCL and their workman, which was received by the Central Government on 23-07-2010.

[No. I-22012/151/1993-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/163/93

PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN

The General Secretary,
M.P.K.K.M.P. (HMS),
PO Junnardeo,
Distt. Chhindwara (MP)

....Workman/Union

Versus

The Manager, WCL,
Rakhikol Colliery,
PO Rakhikol,
Distt. Chhindwara

....Management

AWARD

Passed on this 12th day of July, 2010

1. The Government of India, Ministry of Labour vide its Notification No.L-22012/151/93-IR(C-II) dated 23-8-93 has referred the following dispute for adjudication by this tribunal :

“ Whether the action of the management of Rakhikol Colliery of WCL, Kanhan Area, PO Rakhikol, Distt. Chhindwara, in dismissing Shri Fegelal S/o Linga, Temp. D.P.R. from service w.e.f. 25-4-90 is justified? If not, to what relief the worker is entitled to?”

2. The case of the Union/workman in short is that the workman Fagelal was working as daily piece rated worker since 1973. He was terminated from the service without giving proper opportunity to defend himself. It is stated that no charge sheet was served on him and no enquiry was conducted before terminating him from service. The workman was not absent from duty rather the management had stopped him verbally from work and had illegally retrenched without paying compensation. Even the amount of PF and gratuity was withheld. Under the circumstances, the reference be answered in favour of the workman.

3. The case of the management, inter alia, is that the workman Fagelal was casual piece rated worker. He was habitual absentee. After appointment, in the year 1987, he worked 51 days and from Jan to March 89, he worked only 46 days. Thereafter he became absent without any intimation. He was chargesheeted on 23-6-89, when no reply was received, a departmental proceeding was initiated and Shri J.D Jindal, Dy. Personnel Manager was appointed who sent notice twice by registered post and the same were received by the workman but the workman did not appear. The notice was also published in the daily newspaper on 1-11-89 and notice was also pasted on the notice board of the colliery. When the workman did not appear in the

enquiry proceeding, the Enquiry Officer proceeded ex parte and after enquiry found the charges proved against the workman and submitted enquiry report. The Disciplinary authority considered the enquiry report passed the order of termination from service w.e.f. 25-4-90. It is stated that he was absent for a long period without any intimation and therefore the order of termination from service is just and proper. The workman is not entitled to any relief.

4. On the pleadings of both the parties the following issues are framed :-

- i. Whether the enquiry is just, proper and legal?
- ii. Whether the management is entitled to lead evidence before this Tribunal?
- iii. Whether the charges of misconduct are proved on the facts of the case?
- iv. Whether the punishment awarded is proper and legal?
- v. Relief and costs.

5. Issues No. 1 & 2

These two issues are taken up as preliminary issues and the then Tribunal after considering the material on record held on 12-4-96 that the departmental enquiry conducted by the management was legal and proper. Accordingly these issues have been decided.

6. Issue No. 3

The Union/workman has not adduced any evidence in the case. The management has examined one witness. The management witness Shri J.D.Jindal was Personnel Manager in WCL. He was Enquiry Officer. He has supported the case of the management. He has stated that he knew the workman and as he was habitual absentee, a chargesheet was issued against him. He was cross-examined but there is no denial that the workman was not habitual absentee. Thus it is clear that the misconduct is proved against the workman and there is no perverse finding. This issue is decided in favour of the management.

7. Issues No.4 & 5

On the basis of discussion made above, it is clear that the workman is a habitual absentee. I find no reason to interfere in the order punishment awarded by the management. As such the workman is not entitled to any relief and the action of the management appears to be legal and justified. The reference is, accordingly, answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 23 जुलाई, 2010

का.आ. 2003.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.ई.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 75/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2010 को प्राप्त हुआ था।

[सं. एल- 22012/2/1998-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 23rd July, 2010

S.O. 2063.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 75/93) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the annexure, in the industrial dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 23-07-2010.

[No. L-22012/2/1998-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/75/93

PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN

Area Secretary,
Sanyukta Khadan Mazdoor Sangh (AITUC),
Union Office, M/162, Urja Nagar,
SECL, Gevra project,
Distt. Bilaspur

....Workmen/Union

Versus

Deputy General Manager,
SECL, Gevra Project, Post Gevra,
Distt. Bilaspur

....Management

AWARD

Passed on this 11th day of May, 2010

1. The Government of India, Ministry of Labour vide its Notification No.L-220 12/2/98-IR(C-II) dated 6-4-93 has referred the following dispute for adjudication by this tribunal :

~ Whether the action of the management of Gevra Project of SECL, Bilaspur in denying regularization of S/Shri K.P. Sharma, Nago Rao, Parsu Ram Dhurve

and Govind Singh as Dumper Operators Gr.II (Group "C") after completion of their one year training period is justified? If not, to what relief the concerned workmen are entitled to?"

2. The case of the union/workmen, in short, is that the workmen namely Shri K.P.Sharma, Nago Rao, Parsu Ram Dhurve and Govind Singh were appointed as HEMM Operator Trainee from Selection process who, were previously working in Irrigation Department of the State of M.P. After completion of their training period, they were regularized as Dumper Operator, Group D vide letter No.2907 dated 6-7-90. It is stated that the workmen were operating 50 tons Dumper during their training period. It is stated that similarly Shri Kanti Kumar and five others in the same Gevra Project were regularized as Dumper Operator Group "C" vide letter No. 5569 dated 7-11-89 who were also Dumper Operator (Trainee). It is stated that similarly Shri Lala Nikam and, Rajendra Kumar Vishkarma who were trainee operator, were also regularized in Group "C" after one year vide order No.1033 dated 24-2-89. It is stated that the management has discriminated to these workmen from regularizing them as Dumper Operator Group "C". The Union workmen claim that these workmen are entitled to be regularized as Dumper Operator Group "C" with wages from the same date.

3. The Management filed Written Statement in the reference. The case of the management, in short, is that admittedly the workmen were appointed as HEMM Operator Trainee in Gevra Project of SECL. The period of training was for one year on the satisfaction of the management. On successful completion of the training period, the appointment in regular scale of pay was to be considered under NCWA by the duly constituted committee on the basis of vacant post of different Grade of Dumper Operator. Their cases were considered by the committee and they had been appointed in regular scale of pay in terms of appointment order. The cases cited by the Union/workmen of other employees cannot be compared as they were appointed much earlier than these workmen. Under the circumstances, the workmen are not entitled to any relief.

4. The Union/workmen after filing the statement of claim absented and therefore the then Tribunal proceeded the reference exparte against the Union/workmen on 16-11-06.

5. The only issue for determination is as to whether the action of the management is justified in denying regularization to these workmen as Dumper Operator Gr.II, Group "C".

6. To prove the case the management has adduced oral and documentary evidence. The management witness Shri. S.Ram Krishna Rao is presently working as Dy.Chief

Personnel Manager in Gevra Project. He has stated in his evidence that the terms of appointment vide office order 7410, 7414 and 7415 dated 30-11-88 clearly shows that after completion of the training period, the workmen will be considered in regular pay scale under NCWA and after successful completion of their training, they have been placed as Dumper Operator Gr. III Group D. He has further stated that Shri Kanti Kumar and others were senior to them and therefore these workmen cannot compare themselves with their cases. The appointment letters are filed by the management which are Paper Nos 6/2 to 6/5. The workmen have also filed the same document. These appointment letters donot show that after completion of their training period, they will be regularized as Dumper Operator Gr. II Group "C" rather it shows that on successful completion of training, they will be appointed in regular scale of pay under NCWA. There is no other evidence in rebuttal of the evidence of the management. There is no reason to disbelieve the evidence of the management. I find that the action of the management is justified. Accordingly the reference is answered.

7. In the result, the award is passed without any order to costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 23 जुलाई, 2010

का.आ. 2064.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी. एल. के प्रबंधतंत्र के संयुक्त नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 211/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2010 को प्राप्त हुआ था।

[सं. एल- 22012/203/1993-आईआर (सी-11)]

अजय कुमार गौड, डेस्क अधिकारी

New Delhi, the 23rd July, 2010

S.O. 2064.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 211/93) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the annexure, in the industrial dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 23-7-2010.

[No. I-22012/203/1993-IR (C11)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/211/93

PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN

The Secretary,
Central India Labour Association (HMS).
Qr. No. B/1, Vikas Nagar Colony.
Post Kusmunda Project.
Distt. Bilaspur (MP) Workman/Union

Versus

Sub Area Manager,
SECI, Laxman Project,
Posi Kusmunda Project,
Distt. Bilaspur (MP) Management

AWARD

Passed on this 11th day of May 2010

1. The Government of India, Ministry of Labour vide its Notification No.1-22012/203-93-IR(C-II) dated 4-10-93 has referred the following dispute for adjudication by this tribunal :

“Whether the management of Laxman Project of SECL, Bilaspur is justified in not giving the Excavation Grade Gr.II cat. B w.e.f. March 1992? If not, to what relief the workmen concerned are entitled to?”

2. The case of the Union/workmen in short is that these two workmen were initially appointed as Driver (T) in Kusmunda Project, SECL, Bilaspur. After successful training and on recommendation of Departmental Promotion Committee (in short DPC), they were regularized as Driver Cat-V. The workmen were again selected for Dumper Operator in the year 1987. After successful training, they were not regularized/confirmed as Dumper Operator Gr.II Cat-C w.e.f. 2-9-1988 though their work was fully satisfactory and similarly other employees were regularized on the post. These workmen were regularized w.e.f. 7-1-90. These workmen claim regularization w.e.f. 2/4-9-1988 and grant of all consequential benefits from the said date. It is stated that the management invited application from eligible employees in Dumper Operator Grade-II Cat-C for selection as Shovel Operator Grade-II, Cat-B which was a category higher in rank, status and pay. The said notice is in possession of the management. These workmen submitted their applications and were selected for the training vide order dated 9-3-1991. Upon successful completion of training, these workmen were regularized as Shovel Operator Gr-II Cat-C instead of Shovel Operator Gr.II Cat"B". Since Dumper Operator Gr-II Cat-C was equal in rank, the order dated 9-3-91 was modified to the extent that upon successful completion of training, the workmen

would be regularized as Shovel Operator Gr.II, Cat-B. After completion of training, the workmen were not regularized as Shovel Operator Grade-II, Cat-B w.e.f. 9-3-1992 with seniority and back wages.

3. The management appeared and filed Written Statement. The case of the management, inter alia, is that admittedly the workmen Shri Jaswant Singh and Shri Laxmi Prasad Yadav were appointed as Driver in Category-I on 26-3-85 and 4-4-85 respectively and were promoted to Driver Cat-B. Thereafter they were selected as Dumper Operator (T) by the DPC, and after completion of training they were regularized as Dumper operator Gr.II in Excavation Gr.C w.e.f. 9-3-91. It is also admitted that due to shortage of shovel operator (excavator) in the Project, applications were invited from the departmental candidates for appointment as Shovel Operator and notice dated 25-2-91 was regularized. In response to the notice, these two workmen appeared and were selected for appointment as Shovel Operator (T) w.e.f. 9-3-91. The said office order was subsequently corrected by corrigendum bearing No. 1553 dated 12-3-91 whereby the word 'shovel operator' Gr-II Excavation Cat "C" was withdrawn by the management and the word 'Excavator Operator Gr.II, Excavation Cat "B"' was inserted. It is stated that the word "Excavation Cat "B" was a clerical mistake which should have been read as Excavation Cat "C". Shovel Operator and Excavator Operator are one and same post. It is stated that the workmen were appointed for the post of Shovel Operator Gr.II, Excavation Cat "C" and in the corrigendum inadvertently and due to typing mistake the word "Cat B" was typed. Accordingly the workmen were regularized to the post of Excavator Grade-II in Group B. It is stated that Group "B" is promotional post from Group "C" to a person on acquiring certain experience and on fulfilling other conditions. The claim of the Union is not justified and the workmen are not entitled to regularization.

4. On the pleadings of both the parties, the following issues are for adjudication.

I. Whether the action of the management in not giving the post of Excavation Grade-II in Category "B" to these workmen is justified?

II. If not, to what relief the workmen are entitled to?

5. Before discussing the issues, the admitted facts of the parties are to be enumerated.

- (1) The workmen Shri Jaswant Singh and Shri Laxmi Prasad Yadav were initially appointed as Driver in Category-I on 26-3-85 and 4-4-85 respectively.
- (2) They were promoted and regularized to the post of Driver Cat. V on recommendation of DPC.
- (3) They were further selected as Dumper Operator (T) in the year 1987 and on successful training,

they were regularized as Dumper Operator Gr.II Cat 'C' w.e.f. 7-1-90.

- (4) Due to shortage of Shovel Operator (Excavator) in the Project, the applications were invited from the departmental candidates through issuance of notice dated 25-2-91 for appointment as shovel operator.
- (5) In response to the notice, these workmen applied, appeared and were selected for appointment as Shovel Operator.
- (6) The order No. 1517 dated 9-3-91 (M/11) for selection as Shovel Operator (Trainee) on recommendation of DPC was passed by Site Area Manager that on successful training for a period of one year, they will be regularized to the post of Shovel Operator Gr.II, Excavation Cat "C".
- (7) Subsequently a corrigendum was issued vide office order No. 1555 dated 12-3-1991 (M/12), whereby the office order No. 1517 dated 9-3-91 was partially modified and the word 'Shovel Operator Grade-II Excavation Cat-"C"' should be read as Excavator Operator Grade-II Excavation Cat "B" and remaining will be unaltered.

6. Issue No. I

To decide the issue, it is necessary to determine as to whether the modification vide order No. 1555 dated 12-3-1991 (M/12) of the word "Category "C" is modified as Category "B" or not or this is a clerical mistake and was done inadvertently as has been alleged by the management. It is evident from the pleadings of both the parties that all documents filed by the management in the case have been also referred by the Union workmen in their pleadings as such it is deemed to be admitted by both the parties.

7. The specific case of the Union workmen is that while the workmen were working as Dumper Operator Grade-II Category "C", the management of SPC by issuance of notice invited applications from eligible employees in Category "C" for selection of Shovel Operator Grade II Category "B" which is a category higher in rank, status and pay. The issuance of notice for selection from departmental candidate to the post of Shovel Operator is admitted by the management but it is specifically not denied that the notice was not for selection of Shovel Operator Grade II Category "B" rather it was for selection of Shovel Operator Grade II Category "C". A fact which is specifically not denied is deemed to be admitted. Another aspect is that notice whereby the application was invited for selection is not filed in Court. The said notice was very important piece of evidence to decide that the application was invited from the departmental candidates for selection of Shovel

Operator Grade-II, Category "C" or category "B". Admittedly the said notice was in possession of the management. In absence of the said notice, it is to be inferred that the selection was for Category "B".

8. The corrigendum issued vide order No. 1555 dated 12-3-1991 (M/12) is an admitted document. The management case is that the word "Category B" in the corrigendum was wrongly typed by clerical mistake and inadvertently and it should be and be read as the word "Category C". The Union/workmen has not examined any oral evidence. Only the documents filed by the management are also referred by the Union/workmen in the statement of claim and are deemed to be admitted documents. However the burden is on the management that in the corrigendum the mistake is a clerical mistake and is done inadvertently. On perusal of the documents which are marked as M/11 and M/12, it is clear that the corrigendum was issued only to modify the word 'Excav. Cat' 'C' to Excav. Cat' 'B'. It is not the case that the entire corrigendum was issued inadvertently and it was a clerical mistake. The same officer has issued the corrigendum. If the story of the management is to be believed, that the word Excav. Cat "B" is a clerical mistake and it was done inadvertently then the corrigendum carries no meaning because practically that it is the only correction of the main order No. 1517 dated 9-3-91 (M/11). In this way there was no need of any corrigendum. Moreover it appears that the management had not passed any further order to cancel the said corrigendum which did not carry any meaning according to the Management if it was done inadvertently. This shows that the corrigendum was issued knowingly and deliberately to correct the word "Excav. Cat C" to "Excav. Cat B" by the Sub Area Manager, Laxman O/C Project in accordance with the notice of selection to the post. In view of the circumstances and absence of the notice for selection issued on 25-2-91, there was no clerical mistake in the corrigendum (M/12) and it was not inadvertently done.

9. The management has examined one witness in the case. The management witness Shri P. V. Satyanarayana is presently working as Sr. Personnel Officer. He has come to say that the word Cat- "B" was a clerical mistake which should have been read as Cat- "C". He has not stated that the entire corrigendum issued was a clerical mistake because there was the only correction to be made in the main order No. 1517 dated 9-3-91. If it is a mistake, then corrigendum carries no meaning. He was not the person who had typed the corrigendum. He was not the Officer who had signed the corrigendum. He appears to be not competent to say that it was a clerical mistake. Moreover in view of the documentary evidence, the oral evidence is not to be believed and the corrigendum will have no purpose, if such mistake is said to have been done. The facts stated by the management does not appears to be probable in view of

the discussion made above. I find that the management is not justified in not giving the post of Excavator Grade-II in Category "B" to these workmen w.e.f. 9-3-92. This issue is decided in favour of the union/workmen and against the management.

10. Issue No. II

On the basis of the discussion made above, it is clear that the management has failed to establish that there was clerical mistake in the corrigendum whereby the workmen are entitled to the post of Excavator Grade-II in Category "B" w.e.f. 9-3-92. It appears that the action of the management is not justified. Accordingly the management is directed to regularize the aforesaid two workmen as shovel operator Grade-II category "B" with effect from 9-3-92 with seniority as shovel operator alongwith back wages with effect from the same date within three months from the receipt of the award. This issue and the reference are thus answered.

11. In the result, the award is passed without any order to costs.

12. Let the copies of the award be sent to the Government of India; Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HANFAN, Presiding Officer

नई दिल्ली, 23 जुलाई 2010

का.आ. 2065.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 57/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2010 को प्राप्त हुआ था।

[सं. एल- 22012/267/1995-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 23rd July, 2010

S.O. 2065.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 57/97) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the annexure, in the industrial dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 23-07-2010.

[No. 1-22012/267/1995-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/57/97**PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN**

The Vice President,
M.P. Koyla Mazdoor Sabha (HMS),
71, W. No. 22, Near Mithbada Station,
Shahdol (MP) ...Workman/Union

Versus

The General Manager,
Hasdeo Area of SECL,
Post South Jhagrakhand Colliery,
Distt. Surguja (MP) ...Management

AWARD

Passed on this 6th day of May 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-220 12/267/95-IR(C-II) dated 5-3-97 has referred the following dispute for adjudication by this tribunal:

"Whether the demands of M.P.K.M.S. (HMS) for regularization of services of Shri Mahagu and 45 other tub loaders of Hasdeo Area of SECL is justified and legal? If so, what relief the concerned workmen are entitled to?"

2. The Union/workmen did not appear in the reference in spite of proper notice. Lastly the then Tribunal proceeded the reference exparte against the Union/workmen on 30-7-07.

3. The management appeared and filed his written statement. The case of the management in short is that the Union/workmen did not appear and therefore the particulars of the workmen and their claim appear to be vague regarding their engagement, place of work etc. As such the reference is not maintainable. It is stated that in view of the reference it seems that the claim have been made in the light of award dated 30-8-90 passed by Shri H.G. Bhawe, the then joint Chief Labour Commissioner (Central)(Retd.) who was appointed as a sole Arbitrator. The Unions including M.P.K.M.S (HMS) raised dispute and on agreement with management to refer to the Arbitrator, the terms of the reference was referred to the sole Arbitrator to decide for departmentalization of contractual workers of tub repairing jobs of Hasdeo Area. The lists were furnished to the sole Arbitrator by the Unions of the Contractual workers. Ultimately the Sole Arbitrator passed the award dated 30-8-90 and the same was notified in the Gazette on 7-9-90. Thereafter a Committee was constituted for verification of the claimants as per list submitted by the respective Unions for implementation. Consequently the departmentalization,

regularization with back wages and other benefits were given to those contractual workers whose names were referred to the Arbitrator by the respective Unions. The MPKMS (HMS) referred the names of 173 workers who were accordingly departmentalized. It is stated that the present dispute raised in the light of the said award by the Union of 46 workmen were not covered with the list of the MPKMS. The said Arbitration Award was already implemented and confirmed by the appropriate Govt. vide order dated 1-5-96. It is stated that the arbitration award was implemented long back and the claim of employment by the said Union therefore is after thought. Thus the Union/workmen are not entitled to any relief.

4. The point for issue is as to whether the management of SECL, Hasdeo Area is not regularizing the services of Shri Mahgoo and 45 others Tub Loaders is justified and legal?

5. Before discussing the evidence of the management, it is not out of place to say that the reference made is for determining the legality of regularization of Shri Mahgoo and 45 others, Tub loaders whereas the list attached alongwith the order of reference is with respect to 46 Tub repairing workers of Hasdeo Area. Thus it is clear that there is clear differences of the nature of work of the workers whose names are attached with the order of reference. The workman/Union did not appear to raise the dispute in the Tribunal. As such, it appears that the Learned Counsel for the management has rightly pointed out that the reference is vague.

6. To prove the case the management has examined one witness. The management witness Shri A.M. Sen is Personnel Manager at SECL, Hasdeo Area. He has stated that the management and the representative of the Unions had signed an agreement to refer the dispute with respect to the departmentalization of Tub Repair workers of Hasdeo Area to arbitration and the reference was made to sole Arbitrator to decide the dispute who passed an arbitration award dated 30-8-90. The Unions including the present Union MPKMS gave the lists of the Tub Repair workers to Arbitrator. The said Arbitration award was accordingly implemented and the list of workers furnished by MPKMS(HMS) was also departmentalized. He has stated that the present list of 46 workers was not submitted to the Arbitrator and therefore the said list is after thoughts. It looks probable that the present list is doubtful because the Union was free to raise the dispute of all the workers of similar nature before the Arbitrator. Subsequent act of the Union to re-agitate the dispute for departmentalization of similar workers is not justified. Moreover neither Union nor the workmen are present to raise the dispute before this Tribunal. Accordingly the reference is answered in favour of the management and the action of the management is justified and legal.

7. In the result, the award is passed exparte against the Union/workmen without any order to costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD.SHAKIR HASAN, Presiding Officer

नई दिल्ली, 23 जुलाई, 2010

का.आ. 2066.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.ई.सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 47/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2010 को प्राप्त हुआ था।

[सं. एल- 22012/391/1990-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 23rd July, 2010

S.O. 2066.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 47/91) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the annexure, in the industrial dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 23-7-2010.

[No. L-22012/391/1990-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT; JABALPUR

NO. CGIT/LC/R/47/91

Presiding Officer : SHRI MOHD. SHAKIR HASAN

The President,
M.P. Koyla Shramik Sangh, (CITU),
West Chirimiri Colliery,
Post Kurasiya
Distt. Surguja (MP)

...Workman/Union

Versus

General Manager,
Chirimiri Area of SECL,
Post West Chirimiri Colliery,
Distt. Surguja (MP)

...Management

AWARD

Passed on this 8th day of July, 2010

1. The Government of India, Ministry of Labour vide its Notification No.L-22012/391/90-IR(Coal-II) dated 25-3-91 has referred the following dispute for adjudication by this tribunal :

“ Whether the action of the management of Chirimiri Area of SECL Ltd., in not absorbing Shri D.K. Das Gupta, Shri Jwala Prasad, Shri S.K. Nath, Shri N.C. Sarkar, Shri Nanhu, Shri Shievbachan and Shri Raju on company's roll, is legal and justified ? If not to what relief the workmen are entitled for?”

2. The case of the Union/workmen in short is that the workmen were initially appointed by the co-operative society and were working for and under the Central Co-operative Store Ltd. which was owned by erstwhile Coal Mines Welfare Organisation (in short CMWO). It is stated that with the take over of CMWO alongwith field units, cooperative societies/stores etc. by the SECL, Chirimiri Area w.e.f. 1-10-1986, all rights, liabilities and obligation vested in the Chief General Manager, Chirimiri Area, SECL. After the takeover, these seven workmen also approached the management of the Chirimiri Area, SECL for their regularization or absorption in the company's roll but the management had discriminated with these workmen while absorbing other similarly situated persons namely Shri B.L.Sharma and B.M.Mandal of the society in which they were also employees. These workmen have completed four and half year services directly under the management of SECL, Chirimiri Area. The management is practicing unfair labour practice by depriving them from regularizing w.e.f. 1-10-1986 after taking over by the SECL. The workmen claim regular pay with all consequential benefits.

3. The management appeared and filed Written statement. The case of the management, inter alia, is that the reference is not maintainable as they were never employees of the SECL. These workmen are not members of MPKSS (CITU) Union and therefore the Union does not have locus standi to raise the dispute. It is stated that Central Cooperative Store registered under the cooperative society's Act was functioning in Chirimiri and had nothing to do with the management of SECL. The CMWO in Chirimiri Area was admittedly merged with the SECL and two persons namely Shri B.N.Sharma Co-operative Inspector and Shri B.M.Mandal Cooperative Organiser were employees of the CMWO and therefore they were absorbed by the management. These seven workmen were never employees of the CMWO and had no right to be absorbed with the SECL. Under the circumstances, the workmen are not entitled to any relief.

4. The point for issue is as to whether the action of the management of Chirimiri Area in not absorbing the workmen is legal and justified?

5. On the pleadings of both the parties, it is an admitted fact that the CMWO was taken over by the SECL, Chirimiri Area Management w.e.f. 1-10-86. It is also an admitted fact that the administration, assets, liabilities, manpower, field units, dispensaries, Co-operative societies/stores etc. in Chirimiri Area of CMWO also came under the control of SECL. It is also admitted that the establishment of Central Co-operative Inspector and Shri B.N.Sharma, Co-operative Organiser were the employees of the said establishment and were absorbed by the SECL.

6. Now the evidence of the Union/workmen is to be examined that these workmen were employees of the establishment of Central Co-operative Stores, Chirimiri. The workmen Shri S.K.Nath, Shri Jhwala Prasad, and Shri D.K.Das are examined in the case. They claim themselves that they had been appointed in the Central Co-operative Store, SECL, Chirimiri Area and the said Co-operative store was owned and controlled by the CMWO. They have admitted that they got appointment letters. The said appointment letters are not filed in the case to substantiate the claim of their appointment. In absence of the appointment letters, it is difficult to say that they were casual employees or regular employees specially because the management challenges that they were not the employees of the establishment of CMWO, which was merged with the SECL.

7. The Union has only filed the photocopy of the office order of Chief General Manager, Chirimiri Area which is marked as Exhibit W/1. This is simply filed to show that the SECL, Chirimiri Area Management had taken over the administration, assets, liabilities, manpower etc. of the CMWO Offices, field units, dispensaries, Co-operative Societies/Stores etc. in Chirimiri Area w.e.f. 1-10-86. This fact is an admitted fact. There is no other documentary evidence to show that these workmen were on the roll of Central Co-operative Stores, Chirimiri Area under the control of CMWO at the time of merger with the SECL. The burden is on the Union to prove the above facts but even the appointment letters are not filed to substantiate the appointment in the said establishment.

8. On the other hand, the management has adduced oral and documentary evidence. According to the management these workmen were never employees of the CMWO and they were probably working in other Co-operative Society who was an independent body and had nothing to do with the CMWO. The management witness Shri Amarendra Mohan Sen is Dy. Personnel Manager in Chirimiri Area of SECL. He has supported the case of management. He has stated that the Co-operative Store in which Shri Mandal and Shri Prasad were working was of SECL. This is an admitted fact. There is nothing in his evidence to show that the seven workmen were

employed in the same Co-operative Society as in which Shri Mandal and Shri Prasad were working.

9. The management has also filed circular dated 25-9-86 whereby the CMWO was taken over by the Coal India Limited and its subsidiary companies w.e.f. 1-10-86 which is marked as Exhibit M/1. This is an admitted fact that the CMWO was merged with SECL. The circular further shows that categories of employees including the names of establishments which was under the control and jurisdiction of different subsidiary companies were indicated in Annexure- I. Detailed list of employees indicating the names, designation, pay scale, pay etc. had already been furnished to the respective companies earlier. The said Annexure-I and detailed list of employees are not filed by the management though it was part of the circular. The incomplete document is inadmissible in law.

10. Another document is filed which is statement showing name of establishments, designation and No. of employees working under CMWO. This is an admitted document and is marked as Exhibit M 2. This is filed to show that one post of Co-operative Inspector and one post of Co-operative Organizer of Central Co-operative Stores, Chirimiri was under CMWO. Shri Mandal and Shri Prasad were admittedly observed in SECL. This document corroborates that these seven workmen were not in the Central Co-operative Store under CMWO at the time of merger and therefore their posts did not have place in the list. This document proves the case of the management. Exhibit M/3 is the forwarding letter of the circular (M/1). Exhibit M/4 is the telex message of Director Personnel for constituting a committee for taking over assets, liabilities, manpower etc. of the CMWO. This is also an admitted document. Exhibit M/5 is the office order whereby the committee was constituted. Exhibit M 6 is the office order and the same document is also filed by the Union which is marked as Exhibit W 1.

11. Considering the discussion made above, it is clear that there were only two posts of Central Co-operative stores, Chirimiri under the CMWO and the employees of the said posts were absorbed by the SECL. As such the Union/workmen are not entitled to any relief. Accordingly the reference is answered.

12. In the result, the award is passed without any order to costs.

13. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

Dated: 8-7-2010

नई दिल्ली, 23 जुलाई, 2010

का.आ. 2067.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू सी एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 97/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-7-2010 को प्राप्त हुआ था।

[सं. एल-22012/292/2000-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 23rd July, 2010

S.O. 2067.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.97/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 23-7-2010.

[No. L-22012/292/2000-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR-COURT, JABALPUR

No. CGIT/LC/R/97/2001

Presiding Officer : Shri Mohd. Shakir Hasan

Shri Rajnu, S/o Shri Darafee,
C/o Shri D.N. Tripathi, President,
P.K.K.K.K. Sangh,
Damua, P.O. Damua,
Distt. Chhindwara

....Workman/Union

Versus

The Chief General Manager,
WCL, Kanhan Area,
P.O. Dungaria,
Distt. Chhindwara (MP)

....Management.

AWARD

Passed on this 4th day of May -2010

1. The Government of India, Ministry of Labour vide Notification No. L-22012/292/2000 -IR (C-II) dated 05-5-2001 has referred the following dispute for adjudication to this tribunal :-

"Whether the action of the Manager, Nandan Mine No. 1 of WCL, Kanhan Area, PO Nandan, Distt. Chhindwara (MP) in terminating the services of Shri Rajanoo Paswan S/o Shri Dharafee, General Mazdoor, T.No. 2547 of Nandan Mine No.1 of WCL, Kanhan Area w.e.f. 7-7-96 is legal and justified? If not, to what relief the workman is entitled to?"

2. The case of the workman, in short is that the workman Shri Rajanoo Paswan was appointed as Departmental Piece Rated worker in Nandan Mine No.1 of WCL in the year 1982. Thereafter his service was transferred to General Mazdoor by the management. The workman was also office bearer of the AITUC Union. It is stated that a chargesheet dated 5-6-95 was issued against him alleging therein that he was habitual absentee and therefore had committed misconduct. The workman denied the charges and replied that whenever he remained absent either on illness or otherwise he submitted medical certificate or application. The management did not find his reply satisfactory and a departmental proceeding was initiated against him. Shri B.B. Mishra, Dy Personnel Manager was appointed as Enquiry Officer. The Presenting Officer only gave his statement in the proceeding and the documents filed in the proceeding had no significance. Thereafter the statement of the delinquent workman was recorded. Then only the Enquiry Officer concluded the enquiry and submitted his enquiry report holding that the charge of habitual absenteeism without any sufficient cause or leave was proved. The Disciplinary Authority without application of his mind mechanically agreed with the perverse and contrary finding of the Enquiry Officer and passed order dated 23-6-96/7-7-96 for dismissal of the workman. The Enquiry Officer considered past record which was beyond the charge and no punishment was ever imposed on the past record to the workman. The same is basically illegal and against the principle of natural justice. It is stated that the punishment of dismissal imposed on the workman is too harsh looking into the alleged misconduct. The workman is said to have filed appeal to the General Manager, WCL, Kanhan Area on 10-7-96 and also a review application to the Chairman-Cum-Managing Director, WCL on 13-4-2000 but the same are still pending. It is submitted that the dismissal order be set aside and the workman be reinstated with back wages and other benefits.

3. The management appeared and filed written statement. The case of the management, inter alia, is that admittedly the workman Rajnool Paswan was appointed as piece Rated worker and was made subsequently as General Mazdoor. He remained absent from duty unauthorizedly without any intimation, permission and sanctioned leave on several occasions. The workman was given ample opportunity to improve himself by not taking any serious action. It is stated that in the year 1992, he was on attendance for 46 days, in 1993-68 days, 1994-74 days, 1995-80 days and till May 1996-68 days. It is stated that absenteeism in Coal Mines affect the production. The

workman was issued chargesheet dated 6-6-95 for his habitual absenteeism. The reply was submitted by the workman but the same was not found satisfactory by the competent authority and a departmental enquiry (in short DE) was initiated against him. Shri B. Prasad, Dy. Personnel Manager was appointed as Enquiry Officer (in short E.O.) and Shri Manohar, Token Clerk was appointed as Management representative (in short M.R.). The several sittings of the departmental enquiry were conducted by the E.O. The workman appeared and denied the charges. Thereafter another E.O. Shri B.B. Mishra was appointed and M.R. Shri A.K. Chakraborty was also appointed. Shri P. K. Bannerjee was allowed to represent as co-worker to defend the workman. Thereafter Shri Ram Singh Sharma co-worker was changed. The Management representative was only examined in the proceeding on behalf of the management. The chargesheet, reply of the workman and a chart of attendance were the only documents filed by the management in the D.E. Thereafter the workman was only himself examined and cross-examined in the D.E. The E.O. then closed the enquiry and submitted his enquiry report holding the charges as proved. The Disciplinary Authority considering the enquiry report and the documents filed in the enquiry, agreed with findings and the order of termination dated 7-7-96 was passed against the workman Rajnool Paswan. It is denied that the workman was absent on illness and had submitted medical certificate or application in his absence. It is stated that the punishment imposed on the workman is proportionate to the gravity of misconduct proved against him. It is submitted that the workman is not entitled to any relief.

4. The following issues are for adjudication in the reference -

1. Whether the departmental enquiry conducted against the workman is proper and legal ?
2. Whether the misconduct of habitual absentee is proved against the workman ?
3. Whether the order of termination from service of the workman is justified ? If not what relief the workman is entitled to ?
5. Issue No. 1

The learned counsel for the management has submitted that the workman has not challenged the departmental enquiry rather his counsel has admitted before the Tribunal on 18-2-2005. The learned counsel for the workman has also endorsed his admission on the list of documents of departmental enquiry papers filed by the management. Accordingly the then Tribunal passed the order on 18-2-2005 which is reproduced below :-

"Case is called out. Shri R. C. Shrivastava, Advocate for workman and Shri A.K. Shashi, Advocate for management are present. Rejoinder filed on behalf of workman. Shri R.C. Shrivastava, Advocate submitted that he is not challenging the legality of the enquiry.

He clearly submitted that enquiry has been validly conducted or held. Fix 25-5-2005 for argument."

The learned counsel for management urged that it is proved on admission that there is no illegality in conducting the departmental enquiry and it was proper and legal.

6. The learned counsel for the workman argued that it is true that the legality of the enquiry is not challenged rather it is challenged that the misconduct is not proved against the workman and the finding of the Enquiry Officer is perverse and is not based on material evidence. However it is clear from the order dated 18-2-2005 that the workman has not challenged the legality and validity of the enquiry conducted by the Enquiry Officer. This issue is deemed to be already decided earlier by the then Tribunal. This issue is accordingly decided in favour of the management.

7. Issue No. 2

Another important issue for consideration is as to whether the misconduct of habitual absenteeism is proved against the workman. In this reference none has examined any evidence either oral or documentary in court. Both have relied the evidence adduced in the departmental enquiry.

8. The learned counsel for the workman has submitted that the management had not examined any witness to prove the charges against the workman before the E.O. and there is no legal evidence against him. The finding of the E.O. is perverse and contrary to the record. It is also submitted that the Tribunal has power under Section 11 A of the I.D. Act, 1947 to interfere with the finding of the E.O. as his finding is based on no evidence and contrary to the record. The learned counsel has placed reliance upon a decision reported in 2008 (118) FLR 400 (S.C) Usha Breco Mazdoor Sangh versus Management, M/s. Usha Breco Ltd. and another wherein the Hon'ble Supreme Court held that -

"Interpretation of Section 11-A of the Act came up for consideration before this Court in Firestone Tyre and Rubber Co. (Supra). It was opined that Section 11-A of the Act had brought about a complete change in this behalf. This Court, despite insertion of Section 11-A. Not only conferred jurisdiction on the Tribunal to alter the quantum of punishment imposed upon a workman, but also held that it can enter into the merit of the matter so far as determination of the proof of misconduct or otherwise on the part of the workman is concerned.

Two extreme views, viz. that the entire law has been re-written and despite insertion of Section 11-A, the management neither could raise the legality or validity of the Domestic enquiry as a preliminary issue or request the Tribunal to allow it to adduce evidence before it even if no enquiry has been held or as to whether such a right can still be exercised by the management came up for

consideration in Fire Stone Tyre and Rubber Company (supra).

One of the questions passed by the Vaidialingam, J was as to whether section 11-A has made any changes in the legal position as regards the principles which had merged from various decisions and as noticed in Delhi Cloth and General Mills Co. (supra). Rejecting both the extreme contentions and starting on the premise that the Act is a beneficial piece of legislation enacted in the interest of the employees, it was held that although the legal right of the management to raise such a preliminary issue and in the event the same was determined in favour of the workmen to lead evidence for the first time before the Tribunal/Labour Court could not be denied, opining :

"The Tribunal is now at liberty to consider not only whether the finding of misconduct recorded by an employer is correct, but also to differ from the said finding if a proper case is made out. What was once largely in the realm of the satisfaction of the employer, has ceased to be so, and now it is the satisfaction of the Tribunal that finally decides the matter."

It was further more held :

Therefore it will be seen that both in respect of cases where a domestic enquiry has been held as also in cases where the Tribunal considers the matter on the evidence adduced before it for the first time, the satisfaction under section 11-A, about the guilt or otherwise of the workman concerned, is that of the Tribunal. It has to consider the evidence and come to a conclusion one way or other. Even in cases where an enquiry has been held by an employer and a finding of misconduct arrived at, the Tribunal can now differ from that finding in a proper case and hold that no misconduct is proved."

Thus it is clear that the Tribunal has to see that the finding arrived in the departmental enquiry is in accordance with the evidence adduced by the management by which the misconduct is proved or not.

9. The learned counsel for the management has submitted that it is false to say that no evidence is adduced before the E.O. The management had examined oral and documentary evidence in the enquiry to substantiate the charges. The Management Representative was examined as a witness and there is no bar that M.R. cannot be a witness. The learned management counsel has placed reliance upon a decision reported in 1978 LIC 1335 Motor Industries Co. Ltd. versus Shiekh Mohammad and another. The Hon'ble Karnataka High Court has held that:

"Coming to the second question, there is no principle of natural justice which requires that a person who has lodged a complaint cannot be a presenting officer and a prosecutor in a domestic enquiry."

Thus I find in principle that there is no bar that Management Representative cannot be a witness of the Management but it appears that he is an interested witness. Admittedly there is no other witness. However, now let us examine the evidence adduced before the E.O.

10. The departmental enquiry proceeding dated 10-6-96 (Paper No. 8/68) shows that only three documents were filed and relied by the management before the E.O. They are as follows :

1. Chargesheet No. 1916 dated 6-6-95 which was marked as M. Exhibit No. 1.
2. Reply of the charges of the workman Shri Rajnool Paswan dated 14-6-95 which was marked as M. Exhibit 2.
3. Attendance particulars of Shri Rajnool Paswan prepared by wage clerk dated 20-6-95 which was marked as M. Exhibit 3.

Except these three documents, the Management had not relied on other documents to establish the charges against the workman.

11. M. Exhibit -1 is chargesheet No. 1916 dated 6-6-95 whereby the workman Shri Rajnool Paswan was charged for his absence in Oct. 1994-22 days, in Nov. 1994-14 days, and in Dec. 1994-16 days without any sanction leave in violation of clause 26 (24) of the Standing Order. There was no charge of his past conduct of absenteeism. The enquiry proceeding clearly shows that the workman had denied the charges. Simply furnishing of charges to the delinquent is not said to be proved.

12. M. Exhibit -2 is the reply of the charges by the workman Shri Rajnool Paswan. The reply shows that the workman had shown reason of his absence in 1994 that he was ill and had furnished medical certificate in the office for his joining. The clause 26 (24) of the standing Order as has been stated in the chargesheet shows that if any employee absented without any cogent reason, the same would be treated as misconduct. The reply of the workman shows that he was ill and he had furnished medical certificate at the time of joining. This fact is not denied in evidence. This document is relied by the Management in the enquiry proceeding. Paper 8/68 of the departmental proceeding corroborates this fact that cogent reason was shown for his absence.

13. M. Exhibit 3 is the attendance particulars of Shri Rajnool Paswan which appears to have been prepared by wage clerk on 20-6-95. This attendance particulars are for the year 1992 to 1995. This is not a primary evidence. These particulars appear to have been prepared either from wage register or attendance register. The management had failed to produce those registers before the Enquiry Officer which were admittedly primary evidence. No reason was also assigned as to why these registers were not produced.

Moreover the wage clerk, who was maker of the attendance particulars, was also not examined before the E.O. to test the veracity of the said document. The attendance particulars of the year 1992, 1993 and 1995 were also not in the charges. Admittedly the attendance particulars were prepared after serving of the charge sheet to the workman. This was admittedly not part of the chargesheet. The learned counsel for the workman has submitted that this attendance particular has no legal value. Thus it is clear that the documents filed by the management before the E.O. do not prove misconduct by habitual absenteeism as it is not based on legal evidence.

14. The learned counsel for the management has submitted that the Management Representative was examined as a witness in the departmental enquiry on 10-6-96. It is submitted that his evidence is sufficient to prove the charge. The learned Counsel for the workman has submitted that the proceeding of the departmental enquiry shows that no evidence was recorded by the E.O. of the Management Representative and admittedly there is no other witness examined on behalf of the Management before the E.O. Now let us examine the proceeding dated 10-6-96 (Paper No. 8/86) of the departmental enquiry as to whether any evidence was recorded of the Management Representative. The proceeding of the said date shows that the E.O. told the M.R. to place the facts of the case of the Management. Accordingly the Management representative told the E.O. that "Shri Rajnoo Paswan was habitual to remain absent unauthorisedly. In Oct. 94-22 days, in Nov. 1994-14 days and in Dec. 1994-16 day he was absent and on his absence, the management/Mines Superintendent served him with chargesheet. The delinquent workman gave reply of the charges but the same was found unsatisfactory and the departmental proceeding was initiated. He has stated that he was also unauthorized absent and was on attendance in the year 1992-46 days, 1993-68 days, 1994-74 day and in 1995-80 days. This is clear that Shri Rajnoo Paswan was habitual absentee unauthorisedly. This is only to say to him."

15. The learned counsel for the workman has submitted that the Management had not adduced any evidence rather M.R. had placed the fact of the management as Management Representative. It is also argued that the Management Representative had not sought permission to adduce his evidence on behalf of the Management. The E.O. had also not recorded as evidence of the Management witness. It is submitted that this cannot be treated as evidence of the Management. There is no other evidence on behalf of the management. As such there is no legal evidence to prove the charge of the misconduct.

16. The learned counsel for the management has submitted that the said statement of the management Representative is to be treated as evidence by the subsequent act of the E.O. Subsequently the E.O. asked

the delinquent workman to cross-examine the statement of the M.R. Thereafter the co-worker of the delinquent workman cross-examined him.

17. It is evident from the record that admittedly the Management Representative had not sought any permission to adduce his evidence on behalf of the Management. The E.O. had also not recorded the statement as a evidence rather he told the M.R. to place the facts of the management. Admittedly no other oral evidence was adduced on behalf of the management.

18. However if it is evidence of M.R. as a witness of the management, then now let us examine the evidence in the light of charge levelled against the delinquent workman. There is specific case and evidence of the workman that he was ill and he furnished medical certificate at the time of joining. M. Exhibit -2 is the reply of the chargesheet of the workman. It is an admitted document. It discloses that the medical certificate was produced of his illness. The Management Representative had not denied in his evidence that no medical certificate was filed rather in cross examination it is specifically asked that when he was ill and had produced medical certificate of his absence then as to how it is said to be unauthorized absence. The reply was that he was absent prior to giving an information as such it was unauthorized absentee. There is no denial that no medical certificate was filed at the time of reporting on duty. This is deemed to be admitted by the management that medical certificate was filed. Admittedly he worked in the year 1995 and 1996. Thereafter the management counsel has referred clause 12.5 of the standing orders of company which is reproduced below :-

"Applications for leave or extension of leave on medical grounds shall be supported by a certificate from a Medical Officer of Company or where there is no such officer, a Government Medical Officer or failing him, from a registered medical practitioner, stating the period for which leave is recommended. On receipt of such application the sanctioning authority shall immediately inform the workman in writing whether the leave or extension of leave has been granted and if so, for what period. An employee who has been sanctioned leave or an extension of leave on medical ground for a period exceeding fourteen days at a time shall not be allowed to resume duty unless he produces a certificate of fitness."

The above circumstances of the case show that he was allowed to continue after illness and therefore his medical certificate was considered and he was found fit to resume duty.

19. The M.R. had also stated about his past conduct and had stated that in 1992-46 days, 1993-68 days and 1995-80 days the workman had only in attendance. This fact appears to have been stated to prove habitual absentee. This charge of habitual absentee of those periods

was beyond the charge leveled against the delinquent workman. It is urged by the learned counsel for the workman that this part of the fact is not admissible in law. It is submitted that the workman was not bounded to give any explanation of this fact which was beyond charge. Moreover the management had not filed any chit of paper to show that he was ever show caused or warned of the alleged past absence. Rather the workman had stated categorically in his evidence that whenever he remained absent on illness, he filed Medical Certificate or application on his absence otherwise. Thus it is clear that the reasonable ground was shown of the absence of workman which appears to have been admitted by the M.R as he had not denied.

20. The workman Shri Rajnoo Paswan was also examined and cross-examined in the departmental enquiry which are paper Nos. 8/69 to 8/71 of the proceeding. He has stated that he never absented unauthorisedly. He did not do duty only on illness and joined duty after giving information and taking permission from Management. In cross-examination he had further asserted that he never became absent willfully rather only became absent on illness. His evidence shows that he was not unauthorized habitual absentee.

21. The enquiry report (Paper Nos. 8/73 to 8/74) shows as to how the E.O came to the conclusion of habitual absenteeism which is reproduced below :-

"The workman concerned cross-examined the statement of management representative. The management representative did not produced any witness from management side. Shri Rajnoo Paswan accused workman also did not produced any witness from his side and requested to be permitted to give his statement. In his statement Shri Rajnoo Paswan stated that he never remained absent unauthorisedly. He remained absent only on the days he was sick and after he got cured from sickness, he attended his duties after informing the management about his sickness, the management also allowed him on duty on the basis of his information that he was sick. He further stated that he is attending his duty regularly at present and except in month of May 96 when he was suspended by the management he was quite regular in attending his duties. He assured that he will attend his duties regularly and will not remain absent hereafter unauthorisedly he also stated that in case he remains absent unauthorisedly he may be punished severely by the management for which he himself will be responsible. he also stated that he may be given one chance to him upon his performance. The co-worker of the accused workman examined the statement of shri Rajnoo Paswan, during the cross examination by the management representative Shri Rajnoo Paswan accepted that he

could not informed the management about his sickness prior to absence but at the time of joining duties he has informed the management the reasons for remaining absent.

CONCLUSION

In view of the above, it is proved beyond doubt that Shri Rajnoo Paswan is in a habit of remaining absent without any sufficient cause or leave but it could not be proved that Shri Rajnoo Paswan is in a habit of attending his duty late."

Thus it is clear that the finding of the E.O is perverse for lack of evidence rather it is established that when ever the workman remained absent, he furnished medical certificate showing his reasonable ground of his absence. It is obvious that one cannot inform of his absence prior to his illness that he is going to become ill. This issue is answered in favour of the workman and against the management.

22. Issue No. 3 -

On the basis of discussion made above, it is clear that the order of termination is mainly based on the enquiry report which was not sufficient to prove habitual absenteeism of the workman without any reasonable cause. I find that the order of termination passed by the management is not justified.

23. The learned counsel for the management has referred decisions which are reported in (1997) 6 S.C.C. 75 Commissioner of Police versus Jayasurian and another, AIR 1998 S.C. 300 Union of India & others versus B. K. Srivastava, 1997 M.P.L. S.R. 231, Dr Rajendra jaiswal versus Indian Institute of Forest Management and others and 1995 I.L.L.J. 1065 A. M. Eashwarachar versus Executive Engineer (Electrical). The learned counsel for the workman has submitted that these decisions are not applicable in this case as the finding of the enquiry officer was perverse and the same was based on no evidence on the record. I also find on the basis of evidence on record and discussion as above that the order of termination was not justified. As such the order of termination dated 7-7-96 from service of Shri Rajnoo Paswan is set aside. Accordingly the management is directed to reinstate the workman Shri Rajnoo Paswan from the date of termination and to pay back wages w.e.f. 7-7-96. This issue is decided in favour of the workman and against the management. The reference is thus answered.

24. In the result, the award is passed without any order to costs.

25. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 23 जुलाई, 2010

क्र.आ. 2068.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन औद्योगिक बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार के वैधानिक अधिकरण, श्रम न्यायालय चेन्नई के पंचाट (संदर्भ संख्या 46/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/39/2007-आईआर(बी-II)]

अनिल कुमार शर्मा, अनुभाग अधिकारी

New Delhi, the 23rd July, 2010

S. O. 2068.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.46/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Indian Overseas Bank and their workman, which was received by the Central Government on 22-7-2010.

[No. L-12012/39/2007-IR (B-II)]

ANIL KUMAR SHARMA, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT CHENNAI

Friday, the 16th July, 2010

Present: A. N. Janardanan, Presiding Officer

Industrial Dispute No. 46/2007

(In the matter of the dispute for adjudication under clause (i) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Indian Bank and their Workman)

BETWEEN

Sri K. Jagannathan : 1st Party/Petitioner

Vs

The General Manager : 2nd Party/Respondent
Indian Overseas Bank
Chennai - 600002.

APPEARANCE

For the Petitioner : M/s Balan Haridas, Advocates
For the Management : M/s N.G.R. Prasad, Advocates

AWARD

The Central Government, Ministry of Labour vide its Order No. L-12012/39/2007-IR(B-II) dated 23-08-2007

referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the Management of the Indian Overseas Bank in dismissing the services of Sri K Jagannathan vide order dated 17-11-2004 is legal and justified? If not, to what relief the workman is entitled?”

2. After the receipt of the Industrial Dispute, this Tribunal has numbered it as ID 46/2007 and issued notices to both sides. Both sides entered appearance through their advocates and filed their Claim and Counter and Reply Statement as the case may be.

3. The background facts in the Claim Statement stated briefly are as follows:

The petitioner who entered service of Respondent/Bank as Clerk on 10-04-1981 and on 10-10-1981 while had been working at Salem branch. Salem since 1997 was suspended on 18-08-1997 and chargesheeted on 02-09-2000 on 13 charges relating to alleged acts of omission during the period from 16-12-1997 to 30-06-1999 upon which he requested by letter dated 15-09-2000 for sufficient time to tender explanation on and after permission to peruse documents which was rejected on 04-10-2000 on the ground that already available information is to be the basis. Without an opportunity of giving explanation domestic enquiry was held as informed by letter dated 02-12-2000 which was conducted in a hurry. Recurrent requests, reasoned ones for joint enquiry together with his co-employees similarly charged were not considered. Request to avail assistance of lawyer was turned down. As per order of High Court in Writ Petition No. 5969/2002, advocate was allowed to be engaged. In the enquiry from 19-05-2003 to 08-10-2003, 4 witnesses were examined and 207 documents were marked on the Respondent's side and 6 documents on the petitioner's side. On 02-04-2004, show Cause Notice proposing dismissal from service was issued together with enquiry report. WP No. 12402/2004 against non-issuance of hearing on the enquiry report was preferred but was dismissed on 15-10-2004. Immediately on 17-11-2004 the order of dismissal was issued. Appeal preferred was dismissed on 11-07-2005. There was conciliation which failed whereupon the reference is occasioned. The charges were not proved in the enquiry but were held proved without legal evidence as regards Charge No. 1, Charge No. 2 except item No.7 (Chaque), Charge No. 8 proved except relating to alteration in C/O Account by inflating Rs. 200,000 on 23-05-1998, 26-05-1998 and 04-07-1998 and Charge Nos. 5, 11 and 12 were not proved. The finding was based on surmises and conjecture which were accepted by Disciplinary authority mechanically.

Charge No. 1

4. The First Charge is that the petitioner has introduced five SB Accounts, that he dishonestly obtained cheque books relating to SB A/c No. 14783 and 15215, fraudulently got the cheques issued by SB A/c Holder No. 14783 apart from SB A/c Holder No. 14784 favouring petitioner's wife, R. Pushpammal and Brother-in-Law, R. Sadasivam which cheques he allegedly sent for collection to UCO Bank, Salem where all of them are maintaining SB A/c No. 7629, 7763 and 7823 respectively. The cheques at the branch were stealthily removed and destroyed by the petitioner without debiting to respective accounts but got credits passed on to the accounts maintained by his wife and brother-in-law in UCO Bank, Salem. It is further alleged that on this pattern on 10 occasions a sum of Rs. 17.00 lakhs has been defrauded which is without substance. The five accounts had been open much prior to the alleged incidents, opened after being duly authorized by authority. That the petitioner got the cheque book relating to S. Petiasamy and R. Radhakrishnan dishonestly has no basis since the cheque book register show itself to be written by the concerned staff. The cheques were sent for collection through UCO Bank. The remittance challans for the cheques were written by one Nagarajan, UCO Bank and cheques were not deposited by Pushpammal or Sadasivam or the petitioner as not disputed. Stealthily removing the cheque or destroying it without being to the notice of any other employee is not possible. Withdrawals from the account of Pushpammal and Sadasivam in UCO Bank were signed and received by Nagarajan, Staff, UCO Bank. The inference of petitioner as the fraudster is baseless. For SB A/c No. 14584 of Parthasarathy introducer was one R. Subbulakshmi and Parthasarathy who received the Cheque Book. Similar is the case with Account Holders S. Sumathi, Savithri. Merely by reason of petitioner being introducer of some accounts and receiver of Cheque Book of his wife's account does not mean that he is the person who had been using the cheques. The petitioner had nothing to do with the alleged loss of Rs. 17.00 lakhs.

Charge No. 2

5. The Second Charge is that he got cheques issued from R. Radhakrishnan, SB A/c No. 15215 at Suramangalam Branch favouring petitioner's wife, Pushpammal and Brother-in-law R. Sadasivam and got presented the cheques totaling to Rs. 10.00 lakhs through UCO Bank, Salem through the accounts in UCO Bank maintained by the petitioner, his Wife and Brother-in-Law. The cheque is alleged having been destroyed in the manner as in the 1st Charge. There is no evidence to show the petitioner as culprit. The charge is held proved except S.No. 7 (Cheque) without any evidence.

Charge No. 3

6. The Third Charge is that the petitioner caused Savithri, holder of SB A/c No. 14713 to issue five cheques on various dates in favour of Pushpammal and Sadasivam. As in the 2 earlier charges the same is the allegation that the petitioner collected amounts and thereafter destroyed the cheques in the same manner. There is no evidence to show that the petitioner made Savithri issue cheques or that the petitioner or his Wife or Brother-in-Law deposited the cheques for collection in UCO Bank. The charge is also held proved without evidence.

Charge No. 4

7. The Third Charge is that the petitioner caused K. Parthasarathy, holder of SB A/c No. 14584 R. Radhakrishnan SB A/c No. 15215 and S. Sumathi, SB A/c No. 16551 to issue cheques to petitioner's Brother-in-Law Sadasivam and cleared them on various dates by presenting through UCO Bank, Salem in the account of Sadasivam and cleared a sum of Rs. 43.52 lakhs. It is alleged that the petitioner effected the misdoing in the same manner as Charge No. 2 & 3. There is no evidence for the allegation against the petitioner. He is made a scapegoat. The charge is held proved perversely.

Charge No. 5

8. The Fifth Charge has been held not proved.

Charge No. 6

9. The Sixth Charge is that the petitioner got cheques issued by customers viz. R. Radhakrishnan with SB A/c No. 15215 and S. Sumathi with SB A/c No. 16551, Suramangalam Branch, Salem favouring Sadasivam and Pushpammal and presented 4 cheques totaling to Rs. 8.48 lakhs for clearing to UCO Bank, Salem where Sadasivam and Pushpammal have SB A/c No. 7823 and 7763 respectively which the petitioner stealthily removed and destroyed without debiting the respective accounts but got the credits passed on to accounts of Sadasivam and Pushpammal. There is no evidence for the act being done by the Petitioner but there is evidence for the same being done by Nagarajan of UCO Bank, Salem. The Investigation Report per se showing lingering doubts of the transactions and thus is incomplete without further probe commenced fixing of responsibility on the petitioner. There is no evidence against the petitioner for the different parts of the whole process of the transactions to lead to the materialization of the fraud.

Charge No. 7

10. The Seventh Charge is that Cheque No. 016590 for Rs. 1,00,000 held not proved and Cheque No. 0010733 for Rs. 2,00,000 caused to be issued by G. Savithri in favour of V. Rajagopal presented by the latter to District Central Cooperative Bank, Salem on 24-04-1998 when

received for clearance at Suramangalam Branch, the petitioner destroyed it without debiting the account of Savithri but got credits passed on to the account of V. Rajagopal. Here also the petitioner is charged with no evidence.

Charge No. 8

11. The Eighth Charge is that in order to avoid detection of fraud the petitioner made manipulations in books of account. But on the relevant dates the petitioner has not written the Day Book or the SB Supplementary or Clearing but were written by others. Nobody else has detected any manipulations or complained about which shows the petitioner's innocence.

Charge No. 9

12. The Ninth Charge is that manipulations were made in the balance in the Savings Bank and CO Account Head in the General Ledger by the petitioner regarding which the finding against the petitioner is without substance.

Charge No. 10

13. The Tenth Charge is that the petitioner fraudulently recorded wrong figures in CO summaries in respect of opening and closing balance to cover up fraud.

Charge No. 11 & 12

14. The Eleventh and Twelfth Charge have been held not proved.

Charge No. 13

15. The Thirteenth Charge is that the petitioner obtained Cheque No.0667535 for Rs. 2,00,000 from K. Parthasarathy, SB A/c No. 14584 and presented to UCO Bank which when received at Suramangalam Branch he destroyed it and got the proceeds credited to the SB A/c No. 7823 of UCO Bank, salem pertaining to Brother-in-Law with which money he purchased plot on 15-07-1998 in his wife's name. It was by utilizing Rs. 1,50,000 FD value of the deposit closed on 14-07-1998 that the property was purchased. The Senior Manager of the branch was also charge sheeted but later imposed with the punishment of reduction in pay scale and has been given a nearby posting. Bank has been shielding somebody. CBI has not been intimated despite the defalcated amount exceeded Rs. 25.00 lakhs. Police complaint lodged remains as such. The petitioner alone is discriminated. The reason for missing of Marudha Muthu, Assistant Manager, Incharge of Clearing, Current Term Deposits from the starting day of investigation is not enquired into at all. The transfer of lot of funds between the SB A/c of Pushpammal and Muthusamy, Staff of UCO Bank has not been investigated. The missing instruments have not been bothered to be checked by the Officers. The bank was in a hurry to close the issue and punish the petitioner. The Respondent was

set to choke the petitioner. The petitioner is without employment since the punishment and is in distress without gainful employment. The punishment is also excessive and the same is to be interfered with under section-11A of the ID Act. The punishment is to be set aside and the petitioner is to be reinstated into service with all benefits.

16. In the Counter Statement contentions bereft of unnecessary details are as follows :

The petitioner cheated the bank to the extent of Rs. 1.00 crore. For 13 charges enquiry was held. Against other similarly placed employees of the bank also charge sheet was issued. While the charges against the petitioner were of defrauding and deriving wrongful gain out of bank's money those against others were of negligence and non verification of records properly but for which the serious incident would not have occurred. Therefore joint enquiry was rejected by the High Court. On the enquiry report the disciplinary Authority proposed and intimated dismissal on 02-04-2004 together with the report against which the petitioner filed Writ Petition before the High Court and obtained stay which writ was later dismissed on 15-10-2004 refusing case of prejudice caused to the petitioner. Afterwards on analyzing the report and the submissions punishment of dismissal was ordered on 17-11-2004. Appeal preferred was dismissed on 11-7-2005 after personal hearing. It is the bank which lost the money and not any of the customers. Hence examination of the customers is not necessary. The fraud came to light through bank's own investigation and not on complaint. The cheques had not been debited against customer's account. The petitioner manipulated bank's record and caused loss to the bank by sending credit to the UCO Bank wherein petitioner's wife and his brother -in-law's SB Accounts had received illegal credits. There is no prejudice to the petitioner in non-examining the customers. Statements of branch officials had been taken into account in giving the investigation report. The petitioner has not denied maintaining of SB accounts with UCO Bank by his wife and Brother-in-law or that the said accounts had received credits from the Respondent/Bank. Such credits were also not claimed to be genuine credits received. It is also not contended that there were respective debits in the SB Accounts of IOB (Respondent). It has come out in the enquiry that money of the Respondent Bank was transferred to the credit of petitioner's wife and brother-in-law. The only contention of the petitioner is that it is Nagarajan, staff of UCO Bank who deposited the cheques. Anybody can deposit cheques. Cheques can be deposited only for accounts favouring whom it was drawn upon. Nagarajan introduced their accounts. They know each other. Nagarajan only acted on behalf of them. For the signature of Nagarajan being on the back side of the withdrawal slip, the petitioner's wife and brother -in-law had authorized him to receive the amounts. There is no

complaint against Nagarajan of any fraudulent withdrawal of amounts from their accounts. The charges were proved by oral and documentary evidence. The finding is not perverse. Due to negligence of other Officers, the petitioner was able to carry out his fraudulent activities. The other Officers were suitably punished. None other than petitioner would have committed destruction of the cheques. Considering the sequence of transactions it is evident that it is petitioner who had access to cheques for destruction. It is immaterial as to who had deposited the cheques in UCO Bank. Whoever deposits the same, the ultimate beneficiary is the account holder. Destruction of cheques is to escape from misconduct. The enquiry was in accordance of principles of natural justice and the provisions of Bipartite Settlement. The act involves moral turpitude and he cannot be retained in service. The bank also lost confidence on him. The claim is to be dismissed.

17. The contentions in the Reply statement in a nutshell are as follows :

The petitioner had no role in respect of the transfer of funds from IOB, Suramangalam Branch to UCO Branch. There is no evidence to show that extent. The Respondent failed to prove the charges in the domestic enquiry. The finding is not on legal evidence. The petitioner is suffering being not gainfully employed since dismissal.

18. Points for consideration are :

- (i) Whether the dismissal of the petitioner by the Respondent/Bank is legal and justified ?
- (ii) To what relief the concerned workman is entitled ?

19. The evidence consists of the Ex. W1 to Ex. W13 on the petitioner's side and on the Management's side MW1 was examined and Ex. M1 to Ex. M151, all marked on consent and Ex. M152 to Ex. 184 marked through Affidavit subject to objection that they are xerox copies.

Points (i) & (ii)

20. Heard both sides and perused the records, documents and enquiry proceedings with report. Shri Balan Haridas, the learned counsel for the petitioner argued that in order to substantiate the charges against the petitioner it is necessary to prove that the fraudulent cheques of the various SB Account Holders were taken by the petitioner alone, that he himself destroyed them, that he is the beneficiary of the cheque amounts, that he himself altered the Day Book, General Ledger, Central Office Statements, etc. It is without identifying him as the culprit investigation proceeded on a wrong assumption as is evident from the Investigation Report itself. He would point out that Investigation Report while makes mention of one S. Nagaraj of UCO Bank to have presumed to have colluded with the workman still he is not proceeded against or has not been

made a witness with any statement of him recorded. The SB Account Holders have not been questioned or any statement taken from them. Thus the material witnesses were not examined, he would continue to argue. The persons who wrote the registers were not examined for any reasons offered. The Investigation Report showing deficiencies in the working of the branch indicates that the branch was not properly working. It is without any evidence to substantiate the Investigation Report which per se is incomplete that the petitioner was proceeded against. the cheques were presented by Nagaraj and amounts were withdrawn by him. The petitioner was then not responsible for writing Day Book, General Ledger and Central Office Statements, he being a leave reserve only. The best evidence to prove that the cheques were not issued by the SB Account Holders was examining themselves. There is no evidence to show as to who caused the disappearance of the cheques. The Cheque Receipt Officer and Cheque Messenger were not examined and no reason offered. The tampering of the cheque is not established by the petitioner. There is no tangible material to prove the charges. The finding is without any legal evidence and is perverse. The findings are based on conjectures and surmises. The petitioner was discriminated. In the case of Periasamy and Parthasarathy, the Cheque Officer had authorized issue of cheque, the same is the case with Radhakrishnan as well. so much so question of fraudulently and dishonestly obtaining cheque books from account holders does not arise. In such context, the evidence of the account holder is very essential. Even their statements have not been taken. Without doing so, the charges cannot be held proved by way of documents. No charges are proved by documentary or legal evidence. The relevant entries in the Day Book dated 24.07-1998, 27-04-1998, 04-06-1998 and 10-06-1998 were not of the petitioner but of Deputy Manager. Serious charge of manipulation cannot be based on mere statement. The documents Ex. M172 to Ex. M184 not marked in the domestic enquiry are not to be regarded as evidence, the related to merits of the charge. It is not in evidence that the 42 cheques constituting the whole of the fraudulent transactions were encashed by the petitioner. There is no evidence of withdrawal of money from the account by Pushpammal and Sadasivam. The transactions have happened through the accounts of other banks also. It is beyond comprehension as to how 100 lakhs of rupees through 42 cheques are cleared unnoticed. The bank is trying to shield some higher ups for reasons best known to them. Serious charge of corruption requires to be proved to the hilt as it brings civil and criminal consequences as held by the Apex Court. Solely on circumstantial evidence dismissal from service is illegal. The contents of Ex. M172 to Ex. M184 were not established.

21. The learned counsel for the petitioner placed reliance on the following decisions in support of his contentions.

—B. Padma Vs. The union of India Represented by Secretary, Ministry of Home Affairs, New Delhi and Five Others (2007-Writ. LR-7) wherein the High Court of Madras held that “failure to examine the complainant whose complaint is the basis for disciplinary action against the petitioner and the failure to provide an opportunity to the petitioner to test the veracity of the complaint made against him has resulted in the deprivation of right of the petitioner amounting to gross violation of principles of natural justice thereby entire disciplinary proceedings are vitiated.”

—In Roop Sing Negi Vs. Punjab National Bank and Others (2009-2-SCC-570) wherein the Apex Court held “enquiry report, if based on conjectures and surmises cannot be sustained”.

—Another decision relied on is A. V. Krishnamurthy Vs. Govt. of Tamilnadu and others (1985-1-LLJ-46), the High Court of Madras held “conclusion to be reached by a Tribunal must be on the basis of acceptable evidence. Such evidence must have some degree of definiteness.”

—In Man Singh vs. State of Haryana and Others (2008-4-LLN-113), Supreme Court held “appellant deserves to be treated equally in the matter of departmental punishment for his acts of omissions and commissions vis-a vis the main offender”.

—Again in Union of India Vs. S.C. Goel (CJD-963-SC-156), the Apex Court held “malafide exercise of power can be attacked independently on the ground that it is malafide. Such an exercise of power is always liable to be quashed on the main ground that it is not a bonafide exercise of power”. But we are not prepared to hold that if malafides are not alleged and bonafides are assumed in favour of the appellant, its conclusion on a question of fact cannot be successfully challenged even if it is manifest that there is no evidence to support it”. The two infirmities are separate and distinct, though conceivably in some cases both may be present. There may be cases of no evidence even where the Govt. is acting bonafide, the said infirmity may also exist where the government is acting malafide and in that case, the conclusion of the Govt. not supported by any evidence may be result of malafides, but does not mean that if it is proved that there is no evidence to support the conclusion of the Govt., a Writ of Certiorari will not issue without further proof of malafides”.

22. Sri N.G.R. Prasad, the learned counsel for the Respondent addressing arguments before this tribunal submitted that the modus operandi of the commission of

fraud by the petitioner with the help of his wife Pushpammal and Brother-in-Law Sadasivam would be clearly established from the enquiry finding. It is further argued that when an employee is brainchild of the misconduct he deserves a serious punishment and he cannot claim that others should also be similarly dealt with when they are only guilty in less serious manner. He continues to argue that if one item alone of the different charges is established that would be a sufficient reason to justify the action. The petitioner, his wife and Brother-in-Law know Nagarajan, Staff of UCO Bank, Salem, who introduced their SB Accounts. The cheque books of Periasamy and Radhakrishnan were received by the petitioner as found in the relevant registers. The petitioner used their cheque leaves for fraudulent transfer from IOB to UCO Bank for credit to the accounts of petitioner, his wife and Brother-in-law. The petitioner similarly used the cheque book of Parthasarathy obtained by him with out signing the register and credits received similarly in the accounts of petitioner's Wife and Brother-in-Law. By depositing cheque for Rs. 1,00,000 on 25-04-1998 by the petitioner in UCO Bank for collection and receive in IOB, Suramangalam the same was destroyed by the petitioner without debiting to Periasamy's account at the same time passing credit to the UCO Bank however showing a correspondent credit of Rs. 1,00,000 in the SB Account of Pushpammal which is by way of fraud and which was withdrawn by Pushpammal. If it were a genuine transaction, Pushpammal would have deposited the cheque in IOB, Suramangalam Branch where she had SB Account instead of getting it cleared through K. Jagannathan by putting it into SB Account of UCO Bank, Salem. The petitioner using his position in Suramangalam Branch credited the amount to the account of Pushpammal with no correspondent debit in the account of Periasamy indicating the same to be a bogus transaction. This could be stage-managed only by reason of petitioner's employment in the IOB, Suramangalam Branch. The cheque is also not forthcoming being destroyed as could be inferred. Likewise the petitioner misappropriated all the money. The petitioner brought about misappropriation of the entire money in like manner conniving with his Brother-in-Law Sadasivam and his wife as is evident from the records. It is proved that Sadasivam had withdrawn the amounts received on credit fraudulently. The petitioner manipulated the records in SB Supplementary and Day Book. By manipulation he effected transfer of funds from the Indian Overseas Bank to UCO Bank to the credit of the accounts of his wife and brother-in-law. He effected alterations to the extent of Rs. 100 Lakh to cover up his fraudulent withdrawals. Withdrawals made by Pushpammal and Sadasivam repeatedly at UCO Bank show that the manipulation has been done by the petitioner in such a way that Pushpammal and Sadasivam get the benefits. This was made possible only by reason of Jagannathan being in IOB. The documents relied on by the Respondent clearly give a graphic comprehension of the

modus operandi of the perpetration of the fraud. Circumstantial evidence coupled with documentary evidence shows the petitioner as the brain child for the fraud. The bank has lost confidence in him.

23. The Learned Counsel for Respondent relied on the following decisions in support his contentions :

Indian Oil Corporation and Another Vs. Ashok Kumar Arora (AIR-1997-SC-1030) wherein it is held that the High Court has totally overlooked the finding of the Enquiry Officer and affirmed by the disciplinary Authority that the Respondent was instrumental in obtaining forged medical bills not only for himself but also for other employees and he was the main actor behind the cheating to the corporation. It is because of this finding the Disciplinary Authority rightly considered the award of penalty to the Respondent differently than the other employees who although got the benefit of reimbursement on the forged bills but they accepted their guilt before the Enquiry Officer.

In the case of *State Bank of India and Tarun Kumar Banerjee and Others* (2000-2-LLJ-1373) the Supreme Court held that "a customer of the bank need not be involved in a domestic enquiry conducted; as such a course would not be conducive to proper bank customer relationship and, therefore, would not be interest of the bank".

In the case of *State of Orissa and Others Vs. Bidyabhushan Mohapatra* (AIR-1963-SC-779) it is held that "if the order of dismissal was based on the findings on charges 1 (a) and 1(e) alone the Court would have jurisdiction to declare the order of dismissal illegal but when the findings of the tribunal relating to the 2 out of 5 heads of first charge and second charge was not found to be not liable to be interfered with by the High Court and those findings establish that the respondent was prima facie of grave delinquency, in our view the High Court had no power to direct the Governor of Orissa to reconsider the order of dismissal".

In the case of *Workmen of Balmadi Estates Vs. Management, Balmadi Estates and Others* (2008-4-SCC-517) Supreme Court held "it is fairly well settled now that in view of the wide power of the Labour Court it can, in an appropriate case, consider the evidence which has been considered by the domestic tribunal and in a given case on such consideration arrive at a conclusion different from the one arrived at by the domestic tribunal. The assessment of evidence in a domestic enquiry is not required to be made by applying the same yardstick as a Civil Court could do when a list is brought before it. The

Evidence Act is not applicable to the proceedings in a domestic enquiry so far as the domestic enquiry are concerned, though principles of fairness are to apply. It is also fairly well settled that in a domestic enquiry guilt may not be established beyond reasonable doubt and the proof of misconduct would be sufficient. In a domestic enquiry all materials which are logically probative including hearsay evidence can be acted upon provided it has a reasonable nexus and credibility".

In the case of *State Bank of India and Another and Bela Bagchi and Others* (2005-4-LLN-1), the Supreme Court held "it is no defence available to say that there was no loss or profit in the case when the officer acted without authority. The very discipline of an organization more particularly a bank is dependent upon each of its Officers and the Officers acting and operating within their allotted sphere. Acting beyond one's authority is by itself a breach of discipline and is a misconduct.

In the case of *Union of India and Another Vs. Bihari Lal Sidhana* (1997-4-SCC-385) the Supreme Court held that "reinstatement would be a charter for him to indulge with impunity in misappropriation of public money".

24. On an anxious consideration of the rival contentions on either side with reference to the scrutiny of the documentary evidence adduced I am led to conclude that the petitioner is guilty of the proved charges. The arguments advanced on behalf of the petitioner and the rulings relied on in support of the same are not acceptable in view of the contentions advanced on behalf of the Respondent with sound support of the rulings cited by the Respondent's learned counsel. Though some of the documents viz. Ex.M172 to Ex.M184 are documents produced for the first time before enquiry in this Tribunal and were not produced in the domestic enquiry and therefore those documents have to be eschewed as argued by the learned counsel for the petitioner, and if they are so eschewed still there could be materials logically probative to a prudent mind with rational nexus and credibility from which a conclusion could be safely drawn that it is the petitioner and none else who is the brainchild for the perpetration of fraud by which misappropriation of money to the extent of Rs. 1.00 crore is brought about and which benefit has enured to the petitioner and his wife and brother-in-law. Though direct evidence is not forthcoming there is ample documentary evidence which coupled with the circumstantial evidence conclusively and cogently establishes that the petitioner has brought about the fraud and the misappropriation of money. The modus operandi of bringing about the fraud and the ultimate misappropriation of money is gatherable from the

documentary evidence. The challenge against the preliminary investigation report as being incomplete and thereby insufficient to pinpoint the petitioner as a culprit does not assume importance in view of the fact that the lingering doubt reflected in the investigation report is only in regard to the involvement of S. Nagarajan, staff of UCO Bank, salem as and ally with the petitioner for the fraudulent transaction. Since Nagarajan employee of UCO Bank introduced the wife and brother-in-law of petitioner he is familiar to them, there is nothing unusual in depositing the cheques through him and receiving collections. For the mere exercise of such an act he is not to be a delinquent. Disciplinary action against the petitioner alone is to be launched when from the report of investigation it is prima facie brought home that the petitioner is the main culprit. Accordingly the petitioner was charge sheeted and proceeded against in the enquiry. The enquiry discernibly went well. A finding was rendered which is not perverse. The finding is based on legal evidence in the sense that it is in aid of documentary evidence coupled with circumstantial evidence. There is no discrimination between the petitioner or any other employee or Officer who also happened to be responsible in some way or other for aiding the perpetration of fraud by the petitioner, due to negligent conduct. When the negligent conduct of those employees could be attributed as a contributory factor to aid the petitioner in committing the fraud and misappropriation, they could not be regarded as equally guilty with the petitioner deserving the same punishment. It is the case of Respondent that those employees who were guilty in a trivial manner have also been punished. There is no discrimination or victimization against the petitioner. He has not been singled out for the same offence with anybody else similarly guilty. Here the bank is the loser of the money misappropriated. With dexterity used by the petitioner in accomplishing the evil design of fraudulently misappropriating the money he himself and his associates stand to gain which is very much against the conduct and discipline of a bank employee who is required to bestow utmost honesty, integrity and sincerity in safeguarding the interests of the bank, a custodian of public money. There is nothing to challenge the enquiry in its manner of performance or in the finding rendered. It is on legal evidence which is acceptable and reliable. When it is based on documentary evidence coupled with circumstantial evidence of such a nature as is conclusive and cogent to lead to the conclusion that the petitioner is the brainchild of the fraudulent misappropriation and he alone is responsible for the perpetration of fraud and the misappropriation of an amount to the extent of Rs. 1.00 crore, the public cannot behold him without being startled and panic stricken. The argument that the finding is rendered on surmises and conjectures does not stand to reason. When a finding rests on circumstantial evidence as well inferences drawn on such basis and the finding led

to cannot be said to be on mere conjectures or surmises. The petitioner could never be imposed a punishment less serious than the one imposed. At no stretch of imagination the punishment imposed would be shockingly disproportionate even to the petitioner having regard to the gravity involved in the misconduct. Hence neither the finding nor the punishment is liable to be interfered with. The punishment is just proportionate to the gravity of the offence and is only to be upheld. The petitioner is not entitled to any relief.

25. The reference is answered accordingly.

(Dictated to the P.A. transcribed and typed by him, corrected and pronounced by me in the open court on this day the 16th July, 2010)

A. N. JANARDANAN, Presiding Officer

Witnesses Examined:—

For the 1st Party/Petitioner : None

For the 2nd Party/Management : MW1, Sri K. V. Balakrishnan

Documents Marked on the Petitioner's side :—

Ex.No.	Date	Description
Ex.W1	2-09-2000	Charge Sheet
Ex.W2	19-05-2003	Enquiry Proceedins
Ex.W3	16-12-2003	Letter enclosing written brief of the bank
Ex.W4	15-01-2004	Written brief submitted by petitioner
Ex.W5	02-04-2004	Second show cause notice enclosing enquiry report
Ex.W6	30-10-2004	Letter of Bank
Ex.W7	17-11-2004	Order of Punishment
Ex.W8	11-12-2004	Appeal
Ex.W9	17-05-2005	Personal hearing proceedings and letter dated 11-05-2005 of the petitioner
Ex.W10	11-07-2005	Order rejecting appeal
Ex.W11		List of Management exhibits marked in the enquiry and list of employees exhibits marked in the enquiry
Ex.W12 (series)		SB Account opening form of Pushpamma

SB Account opening form of Periasamy		Jewel Loan Application (Arurupatti)
SB Account opening form of Radhakrishnan		Debitit Voucher for jewel loan
SB Account opening form of Rajagopal		Jewel Loan Ledger
SB Account opening form of Sadasivam		Jewel Loan Application (Kanjamalai)
Pass Book of Petitioner in UCO Bank		Debit Voucher for jewel loan
Pass Book of Sadasivam in UCO Bank		Jewel Loan Ledger
Pass Book of Pushpammal in UCO Bank		Jewel Loan Application (Kanjamalai)
Account opening form of R. Parthasarathy letter of Kanjamalai Branch		Debit Voucher for jewel loan
Suramangalam Branch-Suspense Register		Jewel Loan Ledger
Letter of Salem District Central Co-op Bank Central Office Summary		Demand Loan Voucher
Letter of T. Soman David and S. Joseph		Demand Loan Voucher
Copy of Sale Deed dated 15-07-1998 UCO Bank Challan		Investigation Report alongwith enclosures
Letter of Suramangalam Branch	Ex.W13 (Series)	Pushpammal - UCO Bank Book
Letter of Arupatti Branch		Sadasivam - UCO Bank Book
Letter received from Athiaman		Jagannathan- UCO Bank Book
Central Office Respondent Voucher		Certification of registration
Fax Message of Central Office	On the Management's side	Partnership Deed
Suramangalam Branch Office Order	Ex.No. Date	Partnership Deed
Jewel Loan application (Kanjamalai)	Ex. M1	SB Opening form of Sumathi
Debit Voucher for jewel loan		FDR Receipts
Credit Voucher for jewel loan		FDR Receipts
Jewel Loan Ledger	Ex. M2	FDR Receipts
Jewel Loan Application (Kanjamalai)		FDR Receipts
Debit Voucher for jewel loan		
Jewel Loan Ledger		

Suramangalam Branch SB (1set) supplementary from 18-12-1997 to 22-05-1998 folios: 348 to 351, 372 to 373, 380 to 381, 412 to 415, 442 to 443, 264 to 265, 304 to 313, 342 to 343

SB (1set) supplementary from 25-05-1998 to 23-09-1998; Folios 28 to 31, 46 to 49, 54 to 61, 72 to 73, 98 to 119, 125 to 131, 154 to 157, 162 to 165, 172 to 175

Ex. M3	-	SB (Hset) supplementary from 06-04-1998 to 30-07-1998; Folios 236 to 241, 360 to 363, 372 to 375, 388 to 391. - Original available	Ex. M14	-	Cheque Book containing no. 0667526 Copy of SB Pass Book relating to A/c Shri S. Jagannathan with UCO Bank, Salem, SB Account No. 7629 (Vol. II)
Ex. M4	-	Suramangalam Branch day book 12-06-1998 to 04-09-1999 folios: 38 to 51, 98 to 101, 306 to 309, 352 to 359	Ex. M15	-	Copy of SB Pass Book relating to A/c Shri R. Sadasivam with UCO Bank, Salem, SB Account No. 7823
Ex. M5	-	Suramangalam Branch day book 07-08-1998 to 07-04-1999; folios: 200 to 203, 232 to 239,	Ex. M16	-	Copy of SB Pass Book relating to A/c Shri R. Pushpammal with UCO Bank, Salem, SB Account No. 7763
Ex. M6	-	Suramangalam DBP register April 1997 to March 1998, folios: 67 to 68, 10-12-1998	Ex. M17	-	Suramangalam SB Account Opening form Shri R. Parthasarathy - A/c No. 14584
Ex. M7	-	Suramangalam SB Account Opening form Shri S. Pushpammal bearing account No. 14000	Ex. M18	-	Suramangalam Branch SB A/c Opening form relating to SB 14713 G. Savithri,
Ex. M8	-	Suramangalam SB Account Opening form Shri S. Periasamy bearing account No. 14783	Ex. M19	-	Suramangalam Branch Agricultural Jewel Loan Ledger No. 2 folio No. 440 & 42 relating to A.J.L. 1681/95m 251/95 and 255/95
Ex. M9	-	Suramangalam SB Account Opening form Shri S. Radhakrishnan bearing account No. 15215	Ex. M20	-	Suramangalam Branch Credit Voucher dated 24-04-1998 relating to A.J.L. 181/95, 251/95 and 255/95
Ex. M10	-	Suramangalam SB Account Opening form Shri S. V. Rajagopal bearing account No. 16090	Ex. M21	-	Suramangalam Branch Credit Voucher dated 24-04-1998 relating to A.J.L. 112/95, 132/95
Ex. M11	-	Suramangalam SB Account Opening form Shri S. Pushpammal bearing account No. 16298	Ex. M22	-	Suramangalam Branch SB Ledger relating to SB A/c 14783 from opening to till date (I.D 50/F 166. 64 till 2000)
Ex. M12	-	Suramangalam SB Cheque Book issued register 28-01-1997 to 19-04-1999 Folio 61 (issue of Cheque Book containing no. 135811-820 to SB Account No. 15215 on 16-07-1998	Ex. M23	-	Suramangalam Branch SB Ledger relating to A/c 15215 from opening till date folio 230 (07-03-1996 to 14-02-2000)
Ex. M13	-	Suramangalam SB Cheque Book issued register 07-12-1994 to Jan 1997 Folio 111 (issue of Cheque Book containing no. 0660451-475 to SB Account No. 14783) Folio 45 (issue of Cheque Book containing no. 0007431-7440 SB Account No. 15215) Folio 114 (issue of	Ex. M24	-	Suramangalam Branch SB Ledger relating to A/c 16090 from opening to till date folio 362, 363, 365, 19-09-1997 to 24-02-2000
			Ex. M25	-	Suramangalam Branch SB Ledger relating to A/c 16268 from opening to till date folio 328 28-01-1990 to 11-02-2000

Ex. M26	Suramangalam Branch SB Ledger relating to SB A/c 14584 from opening to till date folio 168, 69, 311, 365 (with March 1998)	EX.M41	Central Office Credit Voucher on Salem Branch relating to 514711.60 inward clearing dated 16-05-1998
EX.M27	Suramangalam Branch SB Ledger relating to SB A/c 14713 from opening to till date	Ex. M42	Central Office Credit Voucher on Salem Branch relating to 805325.08 inward clearing dated 19-05-1998
EX.M28	Kanjamalai Branch letter dated 07-08-1999 addressed to Regional Office, Salem regarding loans availed by family members of Mr. K. Jagannathan	Ex. M43	Central Office Credit Voucher on Salem Branch relating to 1751390.48 inward clearing dated 02-06-1998
Ex. M29	Suramangalam Branch Suspense Register showing outstanding as on 19-05-2002 under non-recurring suspense outstanding	EX.M44	Central Office Credit Voucher on Salem Branch relating to 1440649.08 inward clearing dated 08-06-1998
Ex. M30	Salem District Co-op Bank Ltd. 31-08-1999 addressed to DCO, IOB, Regional Office alongwith ledger extract Xerox copy of 2 pay in slips with 3 cheques in connection with Mr. V. Rajagopal SB A/c No. 14042	Ex. M45	Central Office Credit Voucher on Salem Branch relating to 1192485.08 inward clearing dated 11-06-1998
EX.M31	Central Office Credit Voucher on Salem Branch relating to 1623095.91 inward clearing dated 04-09-1998	EX.M46	Central Office Credit Voucher on Salem Branch relating to 880361.85 inward clearing dated 01-07-1998
Ex. M32	Central Office Credit Voucher on Salem Branch relating to 1623095.91 inward clearing dated 04-09-1998	EX.M47	Central Office Credit Voucher on Salem Branch relating to 640801.20 inward clearing dated 05-08-1998
Ex. M33	Central Office Credit Voucher on Salem Branch relating to 1122987.76 inward clearing dated 04-06-1998	Ex. M48	Central Office Credit Voucher on Salem Branch relating to 2386830.50 inward clearing dated 14-03-1998
EX.M34	Central Office Credit Voucher on Salem Branch relating to 1036443.32 inward clearing dated 10-06-1998	EX.M49	Central Office Credit Voucher on Salem Branch relating to 3149351.32 inward clearing dated 19-03-1998
Ex. M34	Central Office Credit Voucher on Salem Branch relating to 1158020.51 inward clearing dated 30-06-1998	Ex. M50	Central Office Credit Voucher on Salem Branch relating to 2763871.25 inward clearing dated 02-04-1998
EX.M35	Central Office Credit Voucher on Salem Branch relating to 1150724.06 inward clearing dated 02-07-1998	EX.M51	Central Office Credit Voucher on Salem Branch relating to 03616385.08 inward clearing dated 22-04-1998
EX.M36	Central Office Credit Voucher on Salem Branch relating to 1505705.70 inward clearing dated 03-07-1998	EX.M52	Central Office Credit Voucher on Salem Branch relating to 799608.80 inward clearing dated 15-05-1998
Ex. M37	Central Office Credit Voucher on Salem Branch relating to 2097528.50 inward clearing dated 06-07-1998	EX.M53	Central Office Credit Voucher on Salem Branch relating to 1290403.70 inward clearing dated 04-07-1998
Ex. M38	Central Office Credit Voucher on Salem Branch relating to 1170931.93 inward clearing dated 13-07-1998	EX.M54	Central Office Credit Voucher on Salem Branch relating to 960016.67 inward clearing dated 28-07-1998
EX.M39	Central Office Credit Voucher on Salem Branch relating to 1547540.87 inward clearing dated 15-07-1998	Ex. M55	Central Office Credit Voucher on Salem Branch relating to 1370010.29 inward clearing dated 30-07-1998
Ex. M40	Central Office Credit Voucher on Salem Branch relating to 952197.71 inward clearing dated 20-07-1998	EX.M56	Central Office Credit Voucher on Salem Branch relating to 727668.60 inward clearing dated 31-07-1998

Ex.M57	Central Office Credit Voucher on Salem Branch relating to 780257.32 inward clearing dated 03-08-1998	Summary submitted to CO, Chennai dated 25-03-1999
Ex.M58	Central Office Credit Voucher on Salem Branch relating to 1583656.42 inward clearing dated 04-08-1998	Ex.M79 (Series) CO Summary (F.185) dated 25-03-1999 with enclosures
Ex.M59	Central Office Credit Voucher on Salem Branch relating to 1229413.06 inward clearing dated 18-11-1998	CO Summary (F 185) dated 06-08-1998 with enclosures-I
Ex.M60	Central Office Credit Voucher on Salem Branch relating to 2131263.20 inward clearing dated 19-11-1998	CO Summary (F 185) dated 07-08-1998 with Enclosures
Ex.M61	Central Office Credit Voucher on Salem Branch relating to 1147936.41 inward clearing dated 20-11-1998	CO Summary (F 185) dated 08-08-1998 with enclosures
Ex.M62	Central Office Credit Voucher - Salem Main Branch dated 02-01-1999 Rs. 1171956.58	CO Summary (F 185) dated 10-08-1998 with enclosures
Ex.M63	Central Office Credit Voucher - Salem Main Branch dated 06-01-1999 Rs. 1893400.96	CO Summary (F 185) dated 11-08-1998 with enclosures
Ex.M64	Central Office Credit Voucher - Salem Main Branch dated 08-01-1999 Rs. 2777675.30	CO Summary (F 185) dated 12-08-1998 with enclosures
Ex.M65	Central Office Credit Voucher - Salem Main Branch dated 06-02-1998 Rs. 1210962.27	CO Summary (F 185) dated 13-08-1998 with enclosures
Ex.M66	Central Office Credit Voucher - Salem Main Branch dated 13-04-1998 Rs. 1224388.85	CO Summary (F 185) dated 17-08-1998 with enclosures
Ex.M67	Central Office Credit Voucher - Salem Main Branch dated 09-05-1998 Rs. 2209958.80	CO Summary (F 185) dated 18-08-1998 with enclosures
Ex.M68	Central Office Credit Voucher - Salem Main Branch dated 17-06-1998 Rs. 1050800.77	CO Summary (F 185) dated 19-08-1998 with enclosures
Ex.M69	Central Office Credit Voucher - Salem Main Branch dated 29-06-1998 Rs. 2150690.14	CO Summary (F 185) dated 20-08-1998 with enclosures
Ex.M70	Central Office Credit Voucher - Salem Main Branch dated 08-07-1998 Rs. 1609424.95	CO Summary (F 185) dated 21-08-1998 with enclosures
Ex.M71	Central Office Credit Voucher - Salem Main Branch dated 16-06-1998 Rs. 20980661.11	CO Summary (F 185) dated 22-08-1998 with enclosures
Ex.M72	Central Office Credit Voucher - Salem Main Branch dated 09-12-1998 Rs. 529175.80	CO Summary (F 185) dated 24-08-1998 with enclosures
Ex.M73	Central Office Credit Voucher - Salem Main Branch dated 10-12-1998 Rs. 2044989.17	CO Summary (F 185) dated 25-08-1998 with enclosures
Ex.M74	Central Office Credit Voucher - Salem Main Branch dated 05-01-1999 Rs. 1143369.30	CO Summary (F 185) dated 27-08-1998 with enclosures
Ex.M75	Central Office Credit Voucher - Salem Main Branch dated 24-04-1998 Rs. 1047879.57	CO Summary (F 185) dated 28-08-1998 with enclosures
Ex.M76	Central Office Credit Voucher - Salem Main Branch dated 06-05-1998 Rs. 706480.98	CO Summary (F 185) dated 29-08-1998 with enclosures
Ex.M77	Central Office responding (Debtor Voucher) dated 25-03-1999 Rs. 1287384.50	CO Summary (F 185) dated 31-08-1998 with enclosures
M78	Copy of IP Summary dated 25-03-1999 relating to Suramangalam Branch and IP	CO Summary (F 185) dated 18-11-1998 with enclosures
		CO Summary (F 185) dated 21-11-1998 with enclosures
		CO Summary (F 185) dated 09-12-1998 with enclosures

	CO Summary (F 185) dated 10-12-1998 with enclosures		Account 7763 of Smt. R. Pushpammal for Rs. 2.48 lakhs
	CO Summary (F 185) dated 02-01-1999 with enclosures	Ex. M89	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 10-12-1998 relating to SB Account 7763 of Smt- R. Pushpammal for Rs. 2.01 lakhs
	CO Summary (F 185) dated 05-01-1999 with enclosures		
	CO Summary (F 185) dated 06-01-1999 with enclosures	Ex. M90	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 13-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakh
	CO Summary (F 185) dated 06-01-1999 with enclosures	EX.M91	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 17-10-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakh
	Suramangalam Branch Copy of IP Summary from the dates mentioned under Item 94 to 12' of this list produced		
Ex. M80	Certified copy of the sale deed dated 15-07-1998 for Rs. 1,42,700/- in favour of Smt. Pushpammal, W/o Sri K. Jagannathan by the vendor Mr. TA Kathirvel (doc no. 2391, Sub-registrar Office, Salem) - Copy (Vo II)	EX.M92	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 19-11-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakh
EX.M81	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 02-04-1987 relating to SB Account 7763 of Smt. R. Pushpammal for Rs. 2.00 lakhs	Ex. M93	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 15-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakh
Ex. M82	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 09-12-1998 relating to SB Account 7763 of Smt. R. Pushpammal for Rs. 2.00 lakhs	Ex. M94	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 02-01-1999 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.79 lakhs
Ex. M83	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 25-04-1998 relating to SB Account 7763 of Smt. R. Pushpammal for Rs. 1.00 lakh	EX.M95	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 30-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs
Ex. M84	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 22-04-1998 relating to SB Account 7763 of Smt. R. Pushpammal for Rs. 1.00 lakh	EX.M96	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 20-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs
Ex. M85	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 17-06-1998 relating to SB Account 7763 of Smt. R. Pushpammal for Rs. 2.00 lakhs	Ex. M97	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 05-08-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.01 lakhs
EX.M86	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 14-03-1998 relating to SB Account 7763 of Smt. R. Pushpammal for Rs. 2.00 lakh	Ex. M98	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 13-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs
Ex. M87	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 19-03-1998 relating to SB Account 7763 of Smt. R. Pushpammal for Rs. 2.00 lakh	Ex. M99	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 31-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs
Ex. M88	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 05-01-1999 relating to SB	EX.M100	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 20-11-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs

EX.M101	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 08-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs	EX.M114	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 18-05-1998 relating to SB Account 7823 of Sri R Sadasivan for Rs.1.00 lakh
EX.M102	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 01-07-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs	EX.M115	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 15-05-1998 relating to SB Account 7823 of Sri R Sadasivan for Rs. 1.00 lakh
EX.M103	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 08-06-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs.1.00 lakh	EX.M116	Suramangalam Branch Memo dated 29-07-1999 addressed to Audit and Inspection Section, Regional Office, Salem
EX.M104	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 11-06-1999 relating to SB Account 7823 of Sri R. Sadasivan for Rs.1.00 lakh	EX.M117	Arurpatti Branch Memo dated 07-08-1999 addressed to Regional Office, Salem regarding AJL 55/99
EX.M105	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 10-06-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 1.00 lakh	EX.M118	Letter dated nil written by Mr. R.S. Athiaman, Staff, Suramangalam Branch addressed to Regional Office, Salem
EX.M106	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 30-06-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.00 lakhs	EX.M119	Copy of Credit Schedule No. 221967 for Rs. 2,321
EX.M107	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 02-06-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs.1.00 lakh	EX.M120	Copy of Bar Department, Central Office Fax Message dated 29-07-1999 to SRM, IOB, Regional Office, Salem
EX.M108	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 16-05-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 1.00 lakh	EX.M121	Suramangalam Branch Officer Order Register showing IOB rotation to Staff Members for the period 01-05-1997 to 31-10-1997, 16-12-1997 to 16-06-1998, 01-07-1998 to 31-12-1998, 01-01-1999 to 30-06-1999, 01-07-1999 to 31-12-1999
EX.M109	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 10-11-1998 relating to SB Account 7823 of Sri R. Sadasivan for Rs. 2.04 lakhs	EX.M122	DBP Debit Voucher of Suramangalam Branch dated 10-12-1998 for 20,482/-
EX.M110	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 06-01-1999 relating to SB Account. 7823 of Sri R. Sadasivan for Rs. 2.73 lakhs	EX.M123	Kanjamalai Branch Debit Voucher dated 05-08-1998 for Rs. 33,000/- relating to AJL 253/98
EX.M111	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 06-07-1998 relating to SB Account 7823 for Rs. 2.00 lakhs	EX.M124	Kanjamalai Branch AJL Ledger folio 129 showing AJL 253/98
EX.M112	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 02-07-1998 relating to SB Account 7823 of Sri R Sadasivan for Rs. 2.00 lakhs	EX.M125	Kanjamalai Branch F89 dated 09-06-1999 relating to AJL 55/99
EX.M113-	UCO Bank, Salem Branch Saving Bank Pay in Challan dated 04-06-1998 relating to SB	EX.M126	Kanjamalai Branch AJL Loan Ledger folio 112 relating to AJL 198/99, 199/99
		EX.M127	Kanjamalai Branch F 89E dated 09-06-1999 relating to AJL 199/99 in the name of S. Thirumattai
		EX.M128	Kanjamalai Branch Abilasha Loan Ledger folio relating to A/c 1/97 Sint. R Pushpammal for Rs. 15,000/-

EX.M129	Investigation Report dated 07-08-1999 by Mr. A. Krishnamurthy	EX.M148	05-05-2003	Workman appointing advocate Sri S. Soundarajan as his defence representative
EX.M130	UCO Bank - R. Pushpammal			
EX.M131	UCO Bank - R. Sadasivan	EX.M149	06-05-2003	The workman and his defence representative acknowledging perusal of documents at Branch
EX.M132	UCO Bank - K. Jagannathan			
EX.M133	Folio 201 of SB Ledger 45 A/c 13779 of S. Nithyanandan	EX.M150	02-08-2003	Enquiry Officer fixing enquiry on 10-09-2003
EX.M134	Folio 202 of SB Ledger Folio of A/c 16551 of Sumathi	EX.M151	15-10-2004	Order of the High Court in WP 12402 of 2004 filed by the workman - WP dismissed
EX.M135	Certificate of Registration of Sri Chandu Invest			
EX.M136	Partnership deed of Sri Chandu Invest			
EX.M137	Partnership deed of Sri Chandu Invest	EX.M152	—	Attendance Register of Suramangalam Branch for the relevant period 01-07-1996 to 31-07-1999 - Original filed
EX.M138	12-12-2001 Disciplinary Authority ordering enquiry			
EX.M139	20-01-2002 Enquiry Officer advising the workman to verify the documents	EX.M153	—	SB (1 set) supplementary, from 25-05-1998 to 23-09-1998; Original filed - Original filed
EX.M140	30-08-2002 Order of the Hon'ble High Court in WP No. 5969 to 5971 of 2002 filed by the workman	EX.M154	—	SB (II Set) supplementary from 26-11-1997 to 04-04-1998; folios 236 to 241, 360 to 363, 372 to 375, 388 to 391 - Original filed
EX.M141	26-11-2002 WA No. 3497 of 2002 filed by the Bank			
EX.M142	16-01-2003 Disciplinary Authority letter to the workman about the change of Enquiry Officer and Presenting Officer and allowing the workman to engage a legal practitioner to defend him as directed by the Hon'ble High Court	EX.M155	—	Suramangalam Branch Day Book 21-10-1997 to 10-06-1998; Folios 308 to 313, 347, 357 to 355, 398 to 481, 446 to 449, 442 to 445 - Original filed
EX.M143	16-01-2003 Disciplinary Authority letter to Presenting Officer	EX.M156	—	Suramangalam Branch Day Book 02-01-1998 to 05-08-1998; Folios 62 to 65, 190 to 195, 136 to 139, 146 to 149, 240 to 243, 256 to 259, 262 to 263, 288 to 296, 304 to 397, 312 to 315, 336 to 343, 356 to 363, 390 to 397, 368 to 371, 399 to 400 + perforated sheet - Original filed
EX.M144	16-01-2003 Disciplinary Authority letter to Enquiry Officer			
EX.M145	03-04-2003 Enquiry Officer enclosing list of proposed management exhibits and advising the workman to verify at Branch			
EX.M146	11-04-2003 Enquiry Officer advising the workman to verify the documents at Branch	EX.M157	—	Suramangalam Branch General Ledger; 01-04-1998 to 31-03-1999 folios; 57, 58, 59, 62, 63, 64, 110, 178 to 183 and folios relating to SB & CD Accounts - Original filed
EX.M147	05-05-2003 Workman request to peruse the documents alongwith advocate			

EX.M158	—	Suramangalam Branch General Ledger Balance Book; 02-04-1998 to 26-06-1998 Folios; 34, 22-06-1998 Original filed - ME - 174 also	Ex.M169	—	Suramangalam Branch GL for the period from 01-04-1997 to 14-04-1998 - Original filed
Ex.M159	—	Suramangalam Branch Transfer Journal - Clearing from 30-12-1997 to 17-06-1998 - Original filed	Ex.M170	—	SB Balance Book of Suramangalam Branch for ledger no. 6 (April 1998) Ledger No.1 (May 98) Ledger No. 35 (April & May 1998) SB Balance Book for SB Ledger 45 - Original filed
Ex.M160	—	Suramangalam Branch Transfer Journal - Clearing from 18-06-1998 to 12-11-1998	Ex.M171	—	SB Progressive of Suramangalam Branch I & II Set for the period from 01-10-1997 to 21-07-1998 and 22-07-1998 to 31-03-1999 - Original filed - Also ME-13 & 14
Ex.M161	—	Suramangalam Branch Copy of IP Summary from the dates mentioned under Item 94 to 121 of this list produced Original produced 02-12-1998 to 19-04-1999	Ex.M172	—	Xerox copy of the documents originally of UCO Bank.
Ex.M162	—	Suramangalam Branch GL Balance Book from 02-12-1997 to 19-11-1998 - Original filed	Ex.M173	—	Ledger account in respect of one Pushpammal and it contains various entries relating to clearance of various cheques
Ex.M163	—	Suramangalam Branch GL Balance Book from 20-11-1998 to 10-06-1999 - Original filed	Ex.M174	—	Voucher relating to one transaction of the amount of Rs. 2,80,000/- dated 14-03-1998
Ex.M164	—	Suramangalam Branch GL Balance Book from 18-09-1997 to 30-03-1998 - Original filed	Ex.M175	—	Document of UCO Bank
Ex.M165	—	Suramangalam Branch - SB Supplementary I set from 24-09-1998 to 11-01-1999 - Original filed	Ex.M176	—	Document of UCO Bank
Ex.M166	—	Suramangalam Branch - SB Supplementary I set from 13-01-1999 to 14-05-1998 - Original filed	Ex.M177	—	Pay-in-slip dated 23-05-1998 account No. 7823 for Rs. 2,00,000/-
Ex.M167	—	Suramangalam Branch - SB Supplementary II set from 31-07-1998 to 24-11-1998 - Original filed.	Ex.M178	—	Related entries
Ex.M168	—	Suramangalam Branch - SB Supplementary II set from 25-11-1998 to 24-03-1999 - Original filed	Ex.M179	—	Related entries
			Ex.M180	—	Xerox copy of the document of UCO Bank
			Ex.M181	—	Xerox copy of the document of UCO Bank
			Ex.M182	—	Xerox copy of the document of UCO Bank
			Ex.M183	—	Xerox copy of the document of UCO Bank
			Ex.M184	—	Xerox copy of the document of UCO Bank

नई दिल्ली, 26 जुलाई, 2010

का. आ. 2069.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, सं. 2 मुंबई के पंचाट (संदर्भ संख्या 45/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-7-2010 को प्राप्त हुआ था।

[सं. एल-30015/3/2005-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 26th July, 2010

S.O. 2069.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 45/2005) of the Central Government Industrial Tribunal-cum-Labour Court, No. 2 Mumbai, now as shown in the annexure, in the industrial dispute between the employers in relation to the management of Hindustan Petroleum Corporation Ltd. and their workman, which was received by the Central Government on 26-7-2010.

[No. L-30015/3/2005-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

Present : A. A. Lad, Presiding Officer

Reference No. CGIT-2/45 of 2005

Employers in Relation to the Management of Hindustan Petroleum Corporation Ltd.

The Chairman and Managing Director,
Hindustan Petroleum Corporation Ltd.,
Ballard Estate, Mumbai-400 038.

First Party

Vrs.

THEIR WORKMEN

The Secretary,
Mumbai Shramik Sangh,
Sangharsh, Quarry Road,
Bhandup (West),
Mumbai-400 078.

Second Party

APPEARANCE:

FOR THE EMPLOYER: Mr.P.K. Raveendranathan,
Advocate.FOR THE WORKMEN: Shri Jaiprakash Sawant,
Advocates.

Date of passing the Award : 30-6-2010.

AWARD

The matrix of the facts as culled out from the proceedings are as under:

1. The Government of India, Ministry of Labour by its Order No.L-30015/3/2005-IR(M) dated 13th January, 2005 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

“Whether the workmen whose names are enlisted at Exhibit “A” should be declared as permanent workers and wages and consequential benefits be paid to them?”

2. Claim Statement is filed by the 2nd Party at Exhibit-7, in support of subject matter referred in the Reference. Said is denied by the 1st Party by filing its reply at Exhibit 13. Issues were framed at Exhibit 15 and Reference was fixed for recording evidence.

3. Though opportunity was given to the Union to keep witnesses present no steps were taken by it to lead evidence in support of Claims Statement. As no evidence is led by the Union in support of the Claims Statement, the Issues framed are answered against Union and Reference is rejected. Hence, the order

ORDER

Reference is rejected with. No order as to its costs.

Bombay,
30th June, 2010.

A. A. LAD, Presiding Officer

नई दिल्ली, 26 जुलाई, 2010

का. आ. 2070.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बिलासपुर रायपुर क्षेत्रीय ग्रामीण बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/4/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/65/97-आई आर(बी-1)]

जोहन टोपनो, अवर सचिव

New Delhi, the 26th July, 2010

S.O. 2070.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/

LC/R/4/98) as shown in the annexure, in the Industrial dispute between the management of Bilaspur Raipur Kshetriya Gramin Bank, Bilaspur and their workmen, received by the Central Government on 26-7-2010.

[No. L-12012/65/97-IR (B-I)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/4/98

PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN

Shri Janak Ram Sahu
Village- Bhendri,
P.O Jamagaon,
Distt. Raipur (MP)

....workman/Union

Versus

The Chairman,
Bilaspur Raipur Kshetriya Gramin Bank.
Dayalband, Bilaspur

....Management

AWARD

Passed on this 7th day of April, 2010

1. The Government of India, Ministry of Labour vide its Notification No.L-12012/65/97-IR(B-I) dated 31-12-97 dated has referred the following dispute for adjudication by this tribunal :

“Whether the action of the management of Bilaspur Raipur Kshetriya Gramin Bank, in relation to their Jamgaon and Fingeswar Branch, in refusing employment to Shri Shyamlal Sahu of Vill- Bhendri, PO Jamgaon, Distt. Raipur (M.P) w.e.f. 6-5-96 is lawful and justified. If not, to what relief, the workman is entitled to?”

2. The workman did not appear inspite of notice by Registered post as well as under certificate of posting. Lastly the then Tribunal proceeded the reference exparte against the workman on 7-8-08.

3. The non-applicant Bank filed an application dated 2-12-2008 stating therein that the applicant workman has no interest in contesting the reference and has not raised any claim by filing statement of claim and therefore there is no necessity to file exparte written statement. It is submitted that no dispute award be passed.

4. On the basis of above discussion it is clear that there is no claim of the applicant workman in the reference inspite of sufficient opportunity was given to raise the

dispute. Thus it is a case of no evidence. Accordingly the reference is answered.

5. In the result, no dispute award is passed without any order to costs.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN . Presiding Officer

नई दिल्ली, 26 जुलाई, 2010

का. आ. 2071.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साउथ ईस्टर्न रेलवे नागपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचात (संदर्भ संख्या सीजीआईटी/एनजीपी/36/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-7-2010 को प्राप्त हुआ था।

[सं. एल-41011/28/97-आई आर(बी-1)]

जोहन टोपनो, अवसर सचिव

New Delhi, the 26th July, 2010

S.O. 2071.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by published the Award (Ref. No. CGIT/NGP/36/2002) as shown in the annexure, in the Industrial dispute between the management of The Divisional Commercial Manager, S.E. Railway, Nagpur and their workman, received by the Central Government on 26-7-2010.

[No. L-41011/28/97-IR (B-I)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI A. N. YADAV PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/36/2002

Petitioner : The General Secretary, Parcel Porter Sanghatana S.E. Railway Nagpur Division Motibag, Nagpur-440012

Party No. 1

Versus

Respondent : The Divisional Commercial Manager S.E. Railway Nagpur.

Party No. 2

AWARD

Date: 15th July, 2010

The Central Government after satisfying the existence of disputes between The General Secretary, Parcel

Porter Sanghatana, Motibagh party No. 1 and The Divisional Commercial Manager Party No. 2 referred the same for adjudication to this Tribunal vide its order No. L-41011/28/97-IR(B-I) Dtd. 28/08/1998 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule:

2. "Whether the 60 parcel porters (as per list attached) Engaged by the Divisional Manager S. E. Railways Nagpur are "workmen" Under the provision of sec. 2(S) of the Industrial Disputes Act 1947? If so whether these 60 parcel porters are to be provided Eight hours work daily regularly and declare Railway "Employees"? If so to what relief the workman are entitled?"

3. Again the Central Government after satisfying the existence of disputes between The General Secretary, parcel porter Sanghatana, Motibagh party No. 1 and The Divisional Commercial Manager Party No. 2 referred the same for adjudication to this Tribunal vide its Order No. L-41011/9/99-IR(B-I) Dtd. 16-08-1999 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule :

4. "Whether 151 parcel porters (as per list attached) engaged by the Divisional Manager S. E. Railway Nagpur are "workmen" Under the provision of sec. 2(S) of The Industrial Disputes Act 1947? If so to what benefit and status they are entitle to and from what date?"

5. It seems that both the reference were sent to C.G.I.T. Jabalpur where they respectively were numbered as 203/98 and 287/99 and consequent upon the establishment of this tribunal were sent to Nagpur. Considering their similarity of subject matter and being between the same parities they were consolidated by giving common number as 36/2002. After recording common evidence and arguments I am passing a common Award. On receipt of the notice, 60 and 151 parcel porters as per list, through their Union filed the statement of claim with the following contentions.

6. The present petitioner, secretary, parcel porter Sanghatana, S. E. Railway Nagpur Division, Motibagh Nagpur -12 has raised the dispute before the A.L.C. The Petitioner Union approached to this Tribunal with the contention that the Railway undertakes a systematic activity for production, supply or distribution of goods or services with a view to satisfy the human wants or wishes and with the motive to make a gain and profit. It carries on the business of transportation of goods, parcel all over the country and it practically earning profit there from. The parcel porters are engaged to load and unload, seal and unseal the goods wagon. They were appointed and worked at various railway stations in Nagpur divisions continuously from 1994. They are under the administrative control of S.E. Railway since 1994. Each worker has completed more

than 240 days in every calendar year. The work of loading and unloading the wagons is of a perennial nature. They also claim that they were appointed after following the selection process, taking screening test and interview and posted them at various places [or loading and unloading the parcels, opening and sealing the wagons, carrying the parcel from the station to the wagon and vies-versa on arrival of the loaded wagon. They are under the administrative control of the station masters who supervise their work. Thus they are the employees of the railway.

7. That they worked at various Railway stations in Nagpur Division continuously, barring some artificial breaks, directly under the administrative control of the S.E. Railways since 1994. Each worker has completed more than 240 days in every calendar year. However the Management did not provide the job security and benefits of regular employee. The Management enlisted and appointed them as per selection process on interview and posted them at various places for loading and unloading parcels, opening and resealing the wagons, carrying the parcels from station to the wagons and from wagons to stations. They being under the administrative control, work as per directions of the Railway officers who supervise their work. Earlier the Pay Master of Management used to pay their salary on monthly basis. Now the railway is paying at Central Govt. rate and as per Minimum Wages Act, under regular pay orders. The work is permanent and of perennial nature. Union has raised demand to absorb them as regular parcel porters to the stations of their working. However the management is not treating them at par with the casual labours and illegally treating them as licensed porters whose service conditions are totally different. They are performing similar duties of the parcel porter/Hamals who are the regular railway employees in the pay scale of Rs. 750-940(RPS/ Rs. 250-3200(VPS). They were initially provided the work for 4 hours daily. Later on the working hours were increased to 8 by reducing their pay without disturbing others pay. The respondent railway has started the process of filling the vacancies of Safaiwala and of other group 'D' (Class IV) of other Departments. It is violative of the guidelines of the Ministry. They finely have prayed to declare them as railway employee, direct the management to provide the work for 8 hour, to grant difference of wages from 1994. They have also prayed to regularize them by giving temporary status and in regular scale of pay of Group D on the post of Safaiwala as per their Qualification and Suitability.

8. The management while resisting, the claim in Written Statement contended that Petitioners were engaged as licensed porters, on payment of license fee, for carrying the luggage of the passengers by issuing special notification, however for the convenience and the benefit of the petitioners they were asked to do the work of parcel porters because the number of the licensed porters was more than the available work. Their earning was insufficient

for them. Considering the earning of the parcel porters the work was entrusted to them on hourly basis with the view to increase their income and avoid the disparity of income between them and the Parcel porters. Each petitioner has executed an agreement, which are the terms and condition of their services. They were neither enlisted nor interviewed. Thus they are not parcel porters or even employees of the railway. They being licensed porters get the remuneration from the respective passengers for carrying their luggage at the rate fixed by Railways. The Minimum wages Act is not applicable to them. They are given out door medical treatment and leave facilities only. In exceptional cases, on their requests they were transferred also but it has no effect on their status. The incompetent officers of the Management have issued them experience certificates which will not confer any right on them. Thus the managements pleads that the petitioners are neither the workman nor entitled for any claimed relief. They prayed to dismiss the reference by answering it in the negative.

9. The crucial point of the reference was whether these workmen claiming to be parcel porters were the workmen under section 2(s) of the Industrial Dispute Act and whether they could be regularized as Railway Employees? It will not be out of place to mention that the Award passed by me on 28-3-2008 was challenged by filing a writ bearing Writ No.4472/2008 before the Hon'ble High Court, Judicature of Bombay, Nagpur Bench and Hon'ble High Court quashed the above Award of this Tribunal. It remanded the reference with the certain directions. While quashing the Award, the Hon'ble High Court has given the findings that the Parcel Porters are workmen within the meaning of Section 2(s) of ID Act. Similarly it has directed not to discuss or interfere in findings recorded by it in that respect. Now we have the findings of the Hon'ble H C that the petitioners are the workman. These findings are binding on us. The another crucial point that arises for my consideration is whether the petitioners have worked for 240 days continuously as parcel porters though they were appointed as licensed porters and whether they are entitled for regularization in the regular cadre as parcel porters?

10. Heard both advocates for the parties, perused the evidence, documents and written notes of their arguments. The management claims that the petitioners are licensed porter appointed by it without following the recruitment process for carrying luggage of the passengers at the rates fixed by it and paid by passengers directly to the porters. Thus according to it they are coolies, in a red uniform having, badges permitted to work on accepting the licensed fees. They are not at all the employees of the railway. The management is harping on the agreements executed by the petitioners and allotment of the work of handling the parcels due to insufficient work available to them. It was creating disparity in the earnings of the parcel

porters and them. To avoid the disparity they were provided the work of parcel porters by rotation.

11. It will not be out of place to see the basic differences between the parcel porters and licensed porter. It is clear that there is basic difference in both posts because the licensed porters are the licensees permitted by the railway administration to carry the luggage of the passengers. They are allowed to recover the charges for that work directly from the passengers at the rates fixed by the railway. Similarly the railway administration provides them uniform and Badge these licensed porters are popularly known as coolies. They are not the employees of the railways but they are the licensees permitted to work accepting the license fees from them to the railway. While the parcel porters are the workman getting monthly salary or particular amount as remuneration, may be on daily basis, from railway. The work of the parcel porters is to carry the parcels from and to the office and load and unload it in the wagons. Thus they do the work of loading and unloading and carrying the parcels from office to the wagon and from wagon to the office after unloading as per directions of the railway administration. They are paid by railway for performing the above work while the licensed porters are required to pay to railway in the form of license fee. They are not the employees of the railway but the parcel porters are the employees.

12. Now let us consider the evidence adduced by the both the parties. In order to prove the respective contentions, after the remand of the case and considering the directions of the Hon H.C. the petitioner union examined in all 152 workmen by filing their affidavits. [The list (Schedule "D") is attached showing Exhibit numbers from W74 to W 223 and documents filed by each of them] besides the earlier witnesses. They have also filed the documents available with them in the nature of the certificates, Identity cards, statements of payments made towards C.P.F. etc. After remanded the evidence is adduced by filling the affidavits of all the 152 witnesses which are of similar nature except the difference in working period. Before remand the union had examined Manish Saxena, Rajes Supatkar Bhaurao Shewalkar Jeetendra Chouhan, Jeetendra Rangari, Arun Ramlal Wanjari, Nagesh Gajabhiye, Sanjay Jinde Etc.

13. The witness Sarjukumar Sarkar like other witnesses has stated in response to the advertisement dated 08-08-1994 of the management in news paper he and other had applied for the post of parcel porters. All of them were interviewed and on physical and oral tests they were employed along with other petitioners. He further stated that they were given the job of parcel porters. All petitioners were handling the parcels i.e. carrying and loading of the parcels from station to wagon and vice versa. They were being paid through the regular pay orders from the railway

revenue disbursed through station masters. They were initially paid as per minimum wages act and subsequently as decided by the Central Government. Their day to day attendance register was main tend by the railway. He states that the muster role cum wage register was maintained by the railway but their signatures were not obtained. He has never done the job of licensed porters and carried the luggage of the passengers. He further states that the Railway board by its Circular dated 30-07-1997 has observed licensed porters should not be utilized for handling parcel because they were granted the license for carrying the luggage of the passengers. In case they are to be utilized for handling the parcels they shall surrender their licenses as colliers, i.e. licensed porters. Besides these he has submitted the identity card and the certificate of the railway station manager which shows that he is handling the parcels at Itwari Rly. Station since 1995 to 2005 continuously and the work is of the perennial nature.

14. The president of the union Shri Saxena has examined himself along with the other members of the union he deposed about the working of the railways and its business of the transportation. The parcels and goods are handled, loaded and unloaded by the parcel porters. They open and reseal the wagons. The work is of permanent and perennial nature. They even open and reseal the wagons. All the petitioners according to him are working with party No. 1 since 1994 and they have completed more than more than 240 days of continuous service he further deposed that the recruitment process was carried out in accordance of the circular Dated 08-08-1994. They were appointed as parcel porters and they worked as parcel porters. Initially their working hours were different. They were appointed at various stations and work of parcel porters was taken from them.

15. They were paid monthly salary from the railway funds and revenue from the office through station masters i.e. by the departments. There names are on the muster role. He has denied that there were any valid agreements between the railway and the parcel porters. Similarly he has stated that they were never given the uniform. He has pointed out that the work of parcel porters initially was given by rotation to them. However, he denied that they were required to work only for 8 hours when there was excess work. He categorically stated that on an average every parcel porters were required to work for 20 days in a month. He has been cross-examined on behalf of the Railway he denied the suggestion which were against them and despite of the cross-examination his evidence remains unshaken.

16. The next witness examined by the Party No.2 Mr. Rajesh Supatkar who says that he has been working as a Parcel Porter at Rajnandgaon Railway Station. He has given the registration No. of the Union and pointed out

that alongwith the others he was also appointed as a Parcel Porter under the authority of the Divisional Commercial Manager. The Identity Card and the experience certificate were issued to him and they are filed on record by him. He worked continuously. He is cross examined by Shri Gadkari, Advocate appearing for the Railway. He denied all the suggestions put up in the cross-examination. He is cross examined on behalf of the management but his evidence remained unshaken. Similarly all the other witnesses examined after remand are cross examined on behalf of the management but nothing could be brought on record which will prove that they are performing the work as licensed porters or colliers and to discard the evidence of these witnesses. All the witnesses examined on the behalf of the Union are supporting the version of their President as well as the other witnesses. I think the version of each and every witness need not be discussed because it will be simply a repetition.

17. The next important witness examined on behalf of the petitioner is Shri Mahendra Shukla, one of the members of the petitioner union. He has deposed that in the years 1994 after recruitment he was posted at Itwari Railway Station. The minimum wages were paid to them upto September, 2004 as per circular issued by the Divisional Commercial Manager and Divisional Personal Officers. Those circulars are filed on record. He referred the circular of the establishment 87 of 1996 which prescribed the procedure to absorb the casual labours engage for loading and unloading operation at railway station and yard after putting more than 120 days work without any break. The circular is dated 15.5.1996 which provides that once a casual workman assumed the status of temporary employee they are to be provided work continuously and in that event regular pay scale is also to be offered to them. They are also eligible for appointment against the vacancies as and when recruitment is carried out. He has further pointed out that they are eligible against the vacancies as and when the recruitment is carried out. He has further pointed out that the management party No.1 is overlooking this circular and did not offer any temporary status to the parcel porters nor is they absorbed in the employment. On the contrary, when the reference is pending the management has started harassing and stopped giving the work of loading and unloading to them. He is cross examined by Shri Gadkari Advocate for the management. He has pointed out in the cross-examination formal letter of appointment was not issued by the railway to the individual parcel porter. He denied the suggestion that it was advertisement for the appointment of license porter. In fact, as pointed about there was no need for forming any committee for the recruitment of license porters. Thus, his evidence is clear enough to show that practically it was appointment of the petitioners as a parcel porter. Right from the appointment they were given the work of handling

the parcels. They never worked as license porter and according to him they are entitled for the absorption as a parcel porter because they have worked as a parcel porter continuously right from their appointment i.e. from 1994-95. He has filed the certificate of Experience. He has further stated regarding the circular dated 19-1-2004 under which they prevented from the working. The union has filed the cease u/s 34 - C.I.D. Act.

18. As against this before remand of the case the management has examined Shri A. Vinayagam and Shri K.V.R. Murthi. The first witness MR. Vinayagam a retired Assistant Personal Officer has stated that the D.R.M. South Central Railway has nominated him as one of the screening committee members and he has taken screening test of the licensed Porters. In all 186 candidates were selected as licensed porters Hamals to cope up with the requirement of the division. In the cross examinations he has admitted that he has no knowledge what work was allotted to them. His evidence is clear enough that the committee was constituted for the recruitment Further he admitted that licensed coolies who are for lifting the luggage of passengers have no connection with the personal department. After describing the difference between licensed porters and parcel porters, he admitted that he has not come in contact with licensed porters after their appointment. He has no knowledge whether they had paid license fees and how these licensed porters were paid by the railway. He has stated that the presence of the parcel porters is marked in muster role while no muster is maintained in respect of the licensed porters. However here is a evidence that the presence of petitioners was marked in the muster role and they were paid on monthly basis. Apart from the question of reliability the muster roles are produced by the management on record which show their presence was compulsory. Had they been only licensees the presence would have optional. Asking to sign the muster role it means making the attendance compulsory.

19. It seems that this witness has tried to his level best to avoid the direct answer. He has admitted that for the recruitment of large number of 186 licensed porters and test, the candidate from all over India had gathered at Kamptee. However he avoided answering that the coolies or the licensed porter are to be engaged by the Station Master. In fact licensed porters engaged for carrying luggage of the passenger are not selected by the screening committee. The station manager has powers to grant license to them. Moreover, the question remains that the licensed porters have no connection with the personnel department. There was no need to constitute the committee for recruitment of the licensed porters. This indicates that it was recruitment of parcel porter rather than the licensed porter. His presence itself support the contention of the petitioner that it was not a recruitment process for licensed porter but it was a process of engaging the parcel porters.

20. The another witness examined on behalf of the management is Shri K.V.R. Murthi, Assistant Commercial Manager, SEC Railway, Nagpur. He had taken a stand that the candidates selected in recruitment process were the license porter but they were asked to handle the railway parcels as well as the passenger's luggage by rotation to provide equal opportunity to them but this stand does not appeal because there is no explanation as to why there was need to carry out the fresh recruitment when admittedly large numbers, of licensed porters were already working at every station even prior to 1994. Had it a intension of the management for allowing to handle the work of parcel porter to provide a sufficient remuneration why this work was not provided to the licensed porters prior to 1994?

21. Further, he has stated about the so called agreement signed by the Station Masters for the management and the individual candidates. As already discussed, these agreements have so many infirmities regarding the Execution and their genuineness. The management has filed these agreements on record. They are not on any stamp papers. It seems that many agreements are simply signed by the licensed porters alone without any signatures of the other party. They are without even filling the complete forms and leaving blank space as it is. Many of them are not signed by the Station Manager. In fact the Divisional Manager was expected to singe on it because it was within his powers. Admittedly the agreements are obtained after their joining when they had already worked for so many years and not at time of appointment. As per circular of the management licensed porters are not permitted even to touch the railway parcel. Here the petitioners were handling them. This it self indicates that the work of parcel porter was allotted and taken from the petitioners. The stand taken by the witnesses that it was for enabling them to get more remuneration has no meaning. The witness has admittedly no direct knowledge regarding the selection process by the screening committee in 1994. At that time, he was not working as a Assistant Commercial Manager and his affidavit is based on the documents and the records. This witness cannot be relied up on.

22. Both the witnesses Mr. Mishra and Murthy have admitted that the Railway Management had taken a decision to cancel the contract of handling railway parcels and get the work done through private contractor which was going on earlier to 1994. Accordingly it was canceled. It must be the reason for appointing and starting the process of recruitment in respect of parcel porter and not license porter. This support contention of the petitioners particularly when number of working license porter was a quit sufficient at every station. It is apparent that the management after canceling the contract of handling the parcel started recruitment for appointing new parcel porters. Admittedly the number of the parcel porters was very small to meet the requirement.

23. The management has examined Shri K.V. Ramanna, Assistant Commercial Manager working at Bilaspur. He has admitted that he has no direct knowledge regarding the selection process by the Screening Committee in the year 1994 and his affidavit is on the basis of the record. He has admitted that the railway has decided to cancel the contract of handling the parcel through the persons appointed by the contractor. He has admitted that the contract which was cancelled was not in respect of the carrying luggage of the passenger. He has also no knowledge whether the petitioner had paid license fee and they were given uniform, badges etc. at any time. Thus his evidence is short of knowledge regarding actual working of these persons. However, he has admitted that they were paid as per minimum wages act on monthly basis.

24. After remand, the management has examined three witnesses namely Sari Arun Kachruji Koche, Shri Laxmikant Tiwari and Smt. Karri Mangamma Rao besides already examined. Similarly it has produced the agreements executed by the licensed porters. It has also filed the alleged muster roles and one statement prepared by the clerk of the office showing the numbers of the working days along with the amount paid to each workers.

25. Witness Mrs. Karri who prepared the statements showing working days and made payments has admittedly no knowledge about the working of the petitioners. She has prepared statements on the basis of the so called muster roles and payment sheet. The muster roles are in fact not bearing the signatures of the petitioners. It means only presence is marked by the management itself in the registers and it is not muster role at all. The petitioners have denied that these were the muster role. Thus the muster roles and the statements prepared by her on the basis of it are doubtful.

26. However, the court has examined after summoning (as court witness) Mr. Raghuvansh Mishra, Retired Divisional Commercial Manager. He was working on the same post in the year 1994-95. He states that the SE Railway has issued in the year 1994 a notice for the purpose of recruiting the licensed Porters for handling the parcels. He was one of the committee members of recruitment. There was circular for recruitment of licensed porters for the stations from Itwari to Rajnandgaon. The Divisional Railway Manager had constituted a committee comprising of three officers from personnel department, engineering department and commercial department. The recruitment process was conducted at Kamptee Railway Station under which about 200 persons were selected and recruited as Parcel Porter and were posted on various stations between Itwari and Rajnandgaon. The witness is retired and he says that the petitioners were recruited for handing the parcels of the railway and not of the passengers. They were appointed on the daily wages. He pointed out that they

never handled the luggage of the passengers. They also did not wear their prescribed red uniform, badge numbers. Buckle numbers. etc. He has stated that muster roll was maintained for the Parcel Porters and they were paid from the revenue of the Railway. An important fact has been disclosed by him that earlier the handling of the parcel was done through the Contractor. However, it resulted into monetary loss to the railway. There fore, on completion of contract the Divisional Railway Manager decided to engage the Parcel Porter in place of contract Labour. According to this witness the Parcel Porter appointed during his tenure were continued to work for the railway even after his retirement. He has been cross-examined by Shri Gadkari on behalf of the Railway and he has stated during the cross-examination that there was some notification by DCM, SE Railway for recruitment of license porter. He has admitted in the cross examination that the Commercial Manager had sent the list to the Station Master in the matter of handling the parcel as per their requirement. He has shown his ignorance as regard the badges and license were issued to the members of union. He has not denied it means his answer is affirmative that these badges, uniform and buckles were never given to the petitioners. It suggests that the members of the union i.e. Petitioner were working as a Parcel Porters. He evidence shows that they have never worked as licensed porters. If the submission of the railway management that they were appointed as a Licensed Porter is to be accepted then there was no need for constituting the committee for the recruitment. This indicates that the appointment of the petitioners was also as a Parcel Porter as stated by this witness.

27. If the evidence is scanned and tested, on the above basis, no body will dare to say that they are not the workman of the railway. They were appointed by calling applications, after screening tests and interviews. It is clear that their initial appointment must be as parcel porters. The agreements were executed but when they were already in the service and not at the time of appointments. The evidence shows that they have never worked as licensed porters. The petitioners were working as parcel porters at every station like Gondia, Bhandara, Tumsar, kamptee, Itwari etc. Most of the above stations have no regular parcel porters. No regularly appointed parcel porters are even posted at some of the stations. Since no parcel porter having cadre pay was appointed and posted naturally these petitioner were performing the work of the parcel porters appears to be correct. The evidence is sufficient in this respect. The station masters examined on behalf of the management has admitted the above position. It is the case of the petitioners that they were appointed as parcel porters. No doubt the railway has produced the agreements on record but the petitioners have denied even their signatures and execution of the agreements. Undisputedly the agreements were not executed at the time of their

appointments or when they joined the duties but were obtained after some years from their joining. These go to show that the agreements were obtained as per need and when suitable to the railway. More over the so called agreements suffer from the basic infirmities, like not on stamps papers and having no signatures of competent persons. Some of them are not even signed by any person on behalf of managements.

28. The management has tried to pose that it has carried out the recruitment pursuant to the notification D/-08-08-1994. The issuance of special notification itself discloses the intention as well as process of recruitment of the parcel porters was scheduled, otherwise there was no need of even issuing the notification. While engaging the licensed porters no such recruitment procedure is followed. Simply the Station Master can appoint the licensed porters. The management has not made it clear. Similarly there is no answer from the management to the main question as how the management was paying wages to them when they were expected to recover it from the passengers directly. It is totally unanswered as why the management was paying wages to them. The payment of wages speaks voluminous. It establishes the relations as employer and employee. In my view these agreements were only a show or farce to avoid the claim of petitioners. These agreements are not reliable and they cannot be treated as service conditions of petitioners. They are not helpful to the management to prove that they were appointed and they were working only as licensed porters/coolies for carrying luggage of the passengers.

29. Much has been argued on behalf of the management in respect of notification D/-08-08-1994 under which it was proposed to recruit the licensed porters. The notification certainly was proposing the recruitment of the licensed porters but the law is settled on this point that in Industrial jurisprudence nomenclature of the posts used on the piece of papers is not final answer to the dispute. It is necessary to investigate whether the person concerned was indeed performing the work as per nomenclature. It is necessary to see whether the employer for its benefit and own whims wants to address him in different fashion and designation. Besides the main question as to why the petitioners were being paid as per Minimum Wages Act by railway why it was required to issue a notification to carry out the recruitment through a proper selection process when the management was intending to recruit licensed porters for the benefit of the passengers.

30. Similarly the receipts filed by the management to show that the petitioners were paying license fee are also not clear about the persons who had deposited the license fee and deposits of Rs. 11.63 under those 1 receipts. The receipts do not bear the signatures and the names of the person who paid the amount. Only the numbers etc. go to

be of the licensed porters are mentioned on them who paid license fees. So many numbers are shown in each receipt. There is absolutely no evidence to show that particular numbers were given to each and every person or porter by competent authority. On the contrary the witnesses of the management have admitted in cross-examination that bandage, buckles and red uniform were given to them showing their identity as license porters etc. When they were never given badges and uniform there is no question of giving numbers to them. There is no evidence to show that particular number was given to each person coolly. It is proper place to mention as to provide for the providing of the badges, buckle, uniform etc. as in accordance with the chapter XVIII (Part A) of the 1947 which specifically indicates it is necessary to provide such articles to the licenses porters. The provisions of law and casts duty on the Station Masters to ensure that licensed porters are provided with these articles etc. which have prescribed to avoid unauthorized coolies etc. and carry the luggage of the passengers. It is by way of precaution to avoid any mischief by unauthorized or unknown person. Mr. Tiwari witness of the management admittedly admitted that at Kamptee Station these provisions were not followed. It is not clear on behalf of the management as to why these provisions were not followed and was the reason for allowing them to work without uniform. The contentions of the management that these petitioners were working as licensed porters carrying the luggage of the passengers are not reliable.

31. Their presence was marked in the Muster Roll. Initially they were given four hours duty but it was increased to eight hours. They were working under direct control of the Railway administration. Similar thing regarding the work they were asked to perform the work like handling the parcels including loading and unloading and even opening and resealing the wagons was entrusted to the petitioners. The Most important and undisputed thing is that the Railway was paying wages to them through Supervisors, Station Masters. They were paid 11.63 per Minimum Wages Act on monthly basis. These facts go to show that they were salaried employees of the railway and agreements which are obtained after so many years of their joining have nothing to do with it. They were never followed. In case of licensed porters there is no provision of paying any remuneration by Railway. Beside of, there are examples of even affecting their transfers etc. of way from one station to another which can not be prevent in case of license porters. It has been admitted on behalf of the management that no separate recruitment rule are provided for the recruitments of the licensed porters. In fact the stand of the respondent management is not certain about the work provided to the petitioners but it is seems undisputed that they were handling parcels. In fact the licensee porters or coolies are not even entitled to touch

the parcels. No doubt they have signed the agreements but the station masters who are other parties to the execution of these documents are not examined. Only station masters of Kamtee Bhandara Itawari Railway stations are examined. As indicated above the agreements are not reliable at all.

32. The most important thing is that they were provided with Identity cards as parcel Porters. There is no explanation as to how the identity cards as Parcel Porters were given to them. These support the contention of the petitioner that they were working as well as they appointed as parcel porters. The cards do not bear any number to link the payments as license fees and deposits as alleged by the managements. They have produced the experience certificates issued by the officers of the management. They show that these petitioners are working from 1994. It is contended on behalf of the management that the certificates are not issued by its incompetent officers, alleging thereby that they are bogus. But no evidence is adduced to show that any action has been taken against those erring officer. Even their names are not declared much less any action about their incompetency as well as issuing these so called bogus certificates. These certificates support their contention as well. Thus they cannot be called as coolies or parcel protesters as claimed by the management.

33. It is admitted by the management witnesses that at each railway station the attendance register is maintained the witness Karri and even others have admitted that the attendance the muster roles are prepared on the basis of the attendance register. The signature of the workers is not obtained on the muster role. The muster role are signed by the station masters as well as by chief Clerk. Then they are sent to D.C.M. who after verification sanctions the payment and on receipt muster roles the station master pays wages to the workers after obtaining their signature on the separate register. Attendance register being the main register showing the working days prepared at the very time assumes great importance. The managements witnesses Tiwari and Koche have stated that in order to calculate working days it has importance and easily available with managements. It was directed specifically to produce the attendance register as the notice to produce the documents was issued by the petitioners, The management did not produce the attendance register deliberately. Adverse inference will have to be drawn that the management is deliberately avoiding it to produce the attendance register. On the contrary the witness Karri Katta has produced the statement prepared on the basis of it. In fact it is secondary evidence as opposed to the primary evidence though the originals are available. The adverse inference will have to be drawn that the petitioners have worked as parcel porters as stated by them in their evidence and as per certificates, for more than 240 days continuously.

It will have to infer that the working days as per the certificates issued by the station masters are correct. Since they have worked continuously for more than 240 days within the period every calendar year they are entitle to regularization as per I.D. Act., if they are treated as casual labours in that case also they have completed more than 125 days continuous service as parcel porters.

34. An attempt has been made in the evidence by Shri Murthi to show that the petitioners were favoured by the management by asking them to work as parcels porters. However it is not the case or the defence of the Management. There would again a question as to how the discrimination was made leaving other coolies. Another attempt is made by the management with a view to avoid the liability by submitting that they were not working as casual labours, therefore they are not entitled for regularization. I have already concluded that they are the workman of railway. Even the Hon. H. C. has maintained these findings and now there are directions not to interfere in it. The workmen of the respondent and have completed 125/240 days continuous service. The management has admitted that the petitioners were paid the wages as per notification of the Labour Ministry. If they were licensee what was the reason for paying them regulariv month to months. One more theory is introduced that they were absconding and therefore their services were terminated. In one breath it is saying that they were not regular workmen and in another breath it is contending that they were terminated because they did not turn. If they were not the workmen then how they were terminated is the question. It falsifies the stand of Railway manageme

35. It is submitted on behalf of the Management that the licensed porters did not prove the fact that they have worked 240 or 125 days. In fact it was the position before remand and now the in all 152 petitioners have filed the fresh affidavits as per list annexure, D. Some of them have also filed, the documents such as Certificates, Identity cards and CPF account numbers. The certificates are issued by the respective Station Masters. They are showing the period of working. Some of the station masters are examined by the petitioners and they admitted that the regular parcel porters were not posted and the work of handling parcels including the loading and unloading them in the wagons was taken from these petitioners. All the witnesses examined by the Union are deposing about performing of the work as parcel porters. The evidence is clear enough to show that the petitioners were regularly working as parcel porters as alleged by them. I have in the earlier part of this judgment pointed out that their appointment must be as parcel porters. There is no iota of evidence to prove that the petitioners were doing the work or duties of the licensed porters contrarily the station masters who are examined are admitting that the petitioners never worked as licensed porters.

36. The petitioner Union has claimed 60 and 151 parcel porters under order Nos. L-41011/28/97 -IR (B-1) Dt. 28-08-1998 and Order No. L-41011/9/99 -IR (B-1) Dt. 16-08-1999 respectively totaling to 211 as entitled for the Regularization. Even the above referred orders of the Central Government Of India has also given the similar number of the parcel porters. The list of the 60 petitioners in first order is in conformity of number given by the petitioner. However the actual number as per appended lists with the Order No. L-41011/9/99 -IR (B-1) Dt. 16-08-1999 is less by 9 parcel porters. It is not in conformity of the claimed number, of 151 porters. It comes 143 only totaling to 203 parcel porters in all. The petitioners have given the lists of the porters working at particular stations as under-

(1) Kamthi Rly. Station, 16 parcel porters, (2) Bhandara Road 09, (3) Tumsar Road 11, (4) Tiroda 04, (5) Gondiya 59, (6) Rajnandgaon 08 and (7) Itwari Rly Station. 36 parcel porters. Thus the total comes to 143 porters besides the 60 porters/petitioners in reference no. 203/1998 making grand total of 203 Parcel porters.

37. The same thing is about the availability of the work. The Railway being transporters loading and unloading the parcels and other material in the wagon is the main work besides the other work like sealing unsealing the wagons and carrying the parcels to platform. Parcel porters are appointed for this work. Therefore the work is also of perennial nature and it cannot be said as of casual nature. I am appending the list of the workers along with their working days as annexure "A".

38. I have prepared four lists attached with this award. They are as annexure A, B; C and D Annexure A. is showing the names of all the petitioners with their details showing who have filed affidavits and the documents and who have even not filed any documents or affidavit. It is having names of all 201 petitioners mentioned in the list which received along with reference. Some of the petitioners have filed affidavits only without any document like certificates and I cards. Etc. But they filed Affidavits. So far they are concerned, it seems that there are no disputes that they have worked and the salary was also paid to them along with other parcel porters in the same capacity. There are no disputes that they worked in handling the parcels. The disputes are whether they have worked for, more than 240 days or not. From their affidavits it is clear that they have also completed more than 240 days continuous service. The work of parcel porters was taken from them also. In my view they are entitled for regularization.

39. The list annexure C is of the petitioners who did not remain present and have not filed any affidavits. Finely the list Annexure D is of the petitioners who filed the affidavits and the documents like identity cards, certificates, Provident fund numbers or any of them showing they worked as parcel porters. Similarly as per list Annexure

"A" there are about 30 petitioners whose names are appearing in the list which has been received from the ministry along with reference but the list does not disclose either exact date or even the year from when they are working. These petitioners who have filed their affidavits and mentioned the years from which they are working. In the affidavit also they have not mentioned the dates. However they are disclosing to have worked for more than 240 days as there is no exact date of joining the work they shall be treated as working from the date of respective reference. They shall be treated as have worked from the date of the reference. All the lists A, B, C and D shall form as part and parcel of this award. So far other petitioners who are about 50 in numbers as per list Annexure C are concerned, they have not filed any affidavit or any document. They have not adduced any evidence to prove their entitlements. In the absence of any evidence they cannot be regularized. Hence they are not be regularized and their claim cannot be granted. The names such petitioners are at Annexure "C". Their claims will have to be dismissed.

40. So far as back wages are concerned the petitioners are demanding the back wages. They have worked as per directions of the authority and they are already paid as per their working hours. The working hours as well as exact days of each petitioner is not available. In fact they were working parcel porters but since there is no specific- dates it will not be possible to work out the entitlement in respect of back wages. Hence in my view they cannot be paid the back wages. I proceed to pass the following order.

ORDER

The respondent party no. 2 The Divisional Commercial Manager S.E. Railway Nagpur is hereby directed-

1. To regularize the petitioners whose names are appearing in list Annexure "B" and "D" attached with this award giving them temporary status and regular pay scale of Group "D" at par with the regularly appointed parcel porters treating them as railway employees.
2. To fix their pay in the Group "D" regular cadre from the date of their respective appointments.
3. To give them regular increments and pay the salary with prospective effect from the date of notification of this award.
4. The claim of the petitioners mentioned in the list Annexure "C" Shall stand as Dismissed.

The lists at Annexures A, B, C and D appended herewith shall form part and parcel of this Award.

Dated: 15-7-2010

A. N., YADAV, Presiding Officer.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT NAGPUR

Ref: Case No. 36/2002

Party No. 1: Senior Divisional Commercial Manager S.E. C. Rly.,

Nagpur Division Nagpur

Verses

Party No. 2: Through General Secretary, Parcel Porter Sangathana, S.E.C. Rly., Nagpur

Annexure-A

Detailed List of all petitioners with particulars

Sr. No.	Sr. No. in the reference	Name of the Workman	Working Station	Affidavit Exhibit No.	Documents with description and exh. No.	Working period as per affidavit	Working period as per list of the reference	Working period as per certificates	Total working days
1	2	3	4	5	6	7	8	9	10
1.	1	Vijay Natthu Ninawe	Tumsar Rd.	W-113	I. Card and	1994-95 to 2005	From 1-11-1994	Nil	Not specified
2.	2	Mohan Narayan Burade	Tumsar Rd.	W-140	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified
3.	3	Suresh Manik Navghare	Tumsar Rd.	Not filed	Nil	Nil	From 1-12-1994	Nil	Not specified
4.	4	Anandram Ranadhar Verma	Tumsar Rd.	Not filed	Nil	Nil	From 15-11-1994	Nil	Not specified
5.	5	Budharam Neelkanth Thawkar	Tumsar Rd.	W-114	I. Card	1994-95 to 2005	From 1-12-1994	Nil	Not specified
6.	6	Satish Shidulal Sahare	Tiroda	W-121	I. Card and certificate	1994-95 to 2005	From 1-11-1994	1-11-1994 to 31-7-2004	Approx. more than 9 years
7.	7	Subhash Ratiram Iswarkar	Gondia	W-96	I. Card and	1994-95 to 2005	From 11-4-1994	Nil	Not specified
8.	8	Mahadeo Sovinda Mane	Rajnandgaon	Not filed	Nil	Not mentioned	Not mentioned	Nil	Not specified
9.	9	Umesh Bhajandas Gajbhaye	Gondia	W-202	Nil	1994-95 to 2005	From 8-6-1995	Nil	Not specified
10.	10	Vasudeo Sahadeo Bante	Gondia	Not filed	Nil	1994-95 to 2005	From 13-3-1995	Nil	Not specified
11.	11	Deepat Nathuji Lanjewar	Tiroda	W-122	I. Card and certificate	Nil	From 13-3-1995	From 1-11-1994	Not specified
12.	12	Rajesh Wasudeo Nagpure	Tiroda	W-76	I. Card	1994-95 to 2005	From 9-12-1994	1-12-1994	Not specified
13.	13	Bhaurao Kulpat Selokar	Itwari	W-130	I. Card	1994-95 to 2005	From 9-11-1994	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
14.	14	Mahadeo Ranchhanderji Baraskar	Gondia	W-86	I. Card	1994-95 to 2005	From 8-11-1994	Nil	Not specified
15.	15	Arun Sanrao Rokade	Gondia	W-91	I. Card	1994-95 to 2005	From 8-7-1995	Nil	Not specified
16.	16	Rajesh Jangluji Meshram	Tiroda	W-126	I. Card and certificate	1994-95 to 2005	From 1-11-1994	From 1-11-1994	Not specified
17.	17	Ravindra Baliram Dhok	Gondia	W-100	Certificate	1994-95 to 2005	From 4-4-1995	From 3-4-1995	Not specified
18.	18	Bhasrat Dawaduji Budhe	Tumsar Rd.	W-83	I. Card	1994-95 to 2005	From 23-12-1994	From 1-2-1995	Not specified
19.	19	Ramchandra Mahadeo Janbandhu	Tumsar Rd.	W-198	Nil	1994-95 to 2005	From 1-11-1994	Nil	Not specified
20.	20	Bramhanand Fattuji Meshram	Gondia	W-85	I. Card	1994-95 to 2005	From 11-4-1995	Nil	Not specified
21.	21	Ashok Shriram Shyamkumar	Tiroda	W-191	I. Card	1994-95 to 2005	From 1-11-1994	Nil	Not specified
22.	22	Sanjay Hiralal Yadav	Tumsar Rd.	W-119	Certificate	1994-95 to 2005	From 1-2-1995	From 1-2-1995	Not specified
23.	23	Shriram Hari Navghare	Gondia	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
24.	24	Vikas Mitaram Bhamarde	Gondia	Not filed	Nil	Nil	From 1-9-1995	Nil	Not specified
25.	25	Koteswar Gopalrao Jeeru	Tumsar Rd.	W-118	I. Card	1994-95 to 2005	From 1-11-1994	Nil	Not specified
26.	26	Prakash Duryodhan Tijare	Tiroda	W-123	I. Card	1994-95 to 2005	From 1-12-1994	From 15-3-1995	Not specified
27.	27	Sanjay Yeshwant Atkari	Tiroda	W-127	I. Card	1994-95 to 2005	From 1-12-1994	From 1-12-1994	Not specified
28.	28	Panneru Vijay Shekhar Rao	Gondia	W-186	Certificate	1994-95 to 2005	From 13-2-1995	14-7-1995	Not specified
29.	29	Gyaneshwar Haridas Raut	Gondia	W-155	Nil	1994-95 to 2005	From 27-12-1995	Nil	Not specified
30.	30	Umashankar Asaram Shende	Gondia	W-187	Certificate	1994-95 to 2005	From 8-4-1994	From 10-11-1994	Not specified
31.	31	Vinod Jagdish Meshram	Gondia	W-167	Certificate	1994-95 to 2005	From 3-7-1995	From 6-8-1995	Not specified
32.	32	Bramhanand Nago Burde	Tumsar Rd.	W-217	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified
33.	33	Umrao Mahadeo Chaudhary	Gondia	W-105	I. Card	1994-95 to 2005	From 10-4-1995	Nil	Not specified
34.	34	Krishna Rahe Rao Kadao	Tumsar Rd.	W-117	I. Card	1994-95 to 2005	From 1-12-1994	Nil	Not specified
35.	35	Prakash Narayan Tijare	Tiroda	W-120	I. Card	1994-95 to 2005	From 4-12-1994	From 4-12-1994	Not specified
36.	36	Diwaru Bajirao Waghmare	Bhandara Rd.	W-138	Nil	1994-95 to 2005	From 18-10-1994	Nil	Not specified
37.	37	Mahendra Pandurang Singatjode	Bhandara Rd.	W-81	I. Card	1994-95 to 2005	From 18-10-1994	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
38.	38	Prakash Premal Mendhe	Tiroda	W-129	I. Card	1994-95 to 2005	From 1-11-1994	Nil	Not specified
39.	39	Bandya Ramaji Manwatkar	Tiroda	W-192	Certificate	1994-95 to 2005	From 1-11-1994	From 1-11-1994	Not specified
40.	40	Deepkar Jangali Meshram (Gedam)	Tiroda	W-124	I. Card & Certificate	1994-95 to 2005	From 10-4-1994	From 1-10-1996 to 31-6-2004	Approx. more than 7 years
41.	41	Prakash Eknath Gawande	Tumsar Rd.	Not filed	Nil	Nil	From 1-1-1995	Nil	Not specified
42.	42	Deepak Narayan Raut	Gondia	Not filed	Nil	Nil	From 5-1-1995	Nil	Not specified
43.	43	Arun Madhukar Barsagade	Gondia	Not filed	Nil	Nil	From 20-12-1994	Nil	Not specified
44.	44	Bisan Kawadu Thawkar	Tiroda	W-128	I. Card	1994-95 to 2005	Not mentioned	From 1-12-1994	Not specified
45.	45	Madan Balkaran Khairba	Bhandara Rd.	W-137	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified
46.	46	Shriram Subairam Jaiswar	Gondia	W-183	I. Card	1994-95 to 2005	From 2-2-1995	Nil	Not specified
47.	47	Naresh Gopal Padore	Rajnandgaon	Not filed	Nil	Nil	From 13-4-1995	Nil	Not specified
48.	48	Mohan Purushottam Rao	Gondia	W-153	Nil	1994-95 to 2005	From 1-2-1995	Nil	Not specified
49.	49	Vasant Yadavrao Barsagade	Gondia	W-82	I. Card	1994-95 to 2005	From 28-1-1995	From 28-1-1995	Not specified
50.	50	Ramesh Dashrath Dewangan	Gondia	W-215	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
51.	51	Sripat Hemraj Salawane	Tumsar Rd.	W-213	Nil	Nil	From 1-11-1994	Nil	Not specified
52.	52	Milind Jayaram Bowate	Bhandara Rd.	Not filed	Nil	Nil	From 10-1-1995	Nil	Not specified
53.	53	Rakesh Chaman Dohane	Gondia	W-170	Nil	1994-95 to 2005	From 20-10-1995	Nil	Not specified
54.	54	Mangesh Natha Ukey	Gondia	W-218	Nil	1994-95 to 2005	From 27-7-1995	Nil	Not specified
55.	55	Gautam Govindrao Thakur	Gondia	Not filed	Nil	Nil	From 6-11-1994	Nil	Not specified
56.	56	Manish Maheshchand Saxena	Tumsar Rd.	W-143	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
57.	57	Radheyshyam Sitaram Bawane	Tumsar Rd.	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified
58.	58	Kailash Sakaru Mahule	Tumsar Rd.	W-141	Nil	1994-95 to 2005	From 1-11-1994	Nil	Not specified
59.	59	Numeshwar Pyarelal Sahu	Tumsar Rd.	W-199	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
60.	60	Mahendra Sukharam Yadav	Gondia	W-147	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
Second List as per reference No. L-41011/9/99-IR(B-I) dt. 16-8-1999.									
61.	61	Sunilkumar Hariprasad Yadav	Kamptee	W-77	I. Card	1994-95 to 2005	From 16-11-1994	From 16-11-1994	Not specified
62.	62	Arun Ramlal Wanjari	Kamptee	W-106	I. Card	1994-95 to 2005	From 1-10-1994	From 1-9-1994	Not specified
63.	63	Jagdish Sewakram Thaware	Kamptee	W-108	I. Card	1994-95 to 2005	From 1-10-1994	From 1-1-1994	Not specified
64.	64	Rajesh Samarth Bansod	Kamptee	W-188	I. Card	1994-95 to 2005	From 1-1-1995	From 1-1-1995	Not specified
65.	65	Fulchand Arjun Rahangdale	Kamptee	W-109	I. Card	1994-95 to 2005	From 1-10-1994	Nil	Not specified
66.	66	Mahendra Daulatrao Ramteke	Kamptee	W-111	I. Card	1994-95 to 2005	From 16-10-1994	Nil	Not specified
67.	67	Nagesh Pralhad Gajbhiye	Kamptee	W-172	I. Card	1994-95 to 2005	From 16-10-1994	From 16-9-1994	Not specified
68.	68	Sanjay Mahadeo Jinde	Kamptee	W-110	I. Card	1994-95 to 2005	From 16-10-1994	Nil	Not specified
69.	69	Rajesh Keshao Wasnik	Kamptee	Not filed	Nil	Nil	From 16-10-1994	Nil	Not specified
70.	70	Radheshyam Kallu Gondhar	Kamptee	W-174	I. Card	1994-95 to 2005	From 16-10-1994	Nil	Not specified
71.	71	Hansraj Shivaji Khandekar	Kamptee	W-178	Nil	1994-95 to 2005	From 16-10-1994	Nil	Not specified
72.	72	N. Shree Niwasrao	Kamptee	Not filed	Nil	Nil	From 25-3-1995	Nil	Not specified
73.	73	Devendra Bhagwandas Rangari	Kamptee	W-216	Nil	1994-95 to 2005	From 16-10-1994	Nil	Not specified
74.	74	Arun Baburao Waghade	Kamptee	W-107	I. Card	1994-95 to 2005	From 16-10-1994	From 25-10-1994	Not specified
75.	75	Deepak Nagorao Kathane	Kamptee	W-135	Nil	1994-95 to 2005	From 16-10-1994	Nil	Not specified
76.	76	Satnam Ratansingh	Kamptee	W-173	Certificate	1994-95 to 2005	From 16-10-1994	From 16-10-1994	Not specified
77.	77	Nandkishore Chiman Gajbhiye	Bhandara Rd.	W-112	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified
78.	78	Vikas Bakarama Fedre	Bhandara Rd.	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
79.	79	Sanjay Shaligram Narwadiya	Bhandara Rd.	W-139	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
80.	80	Arvindkumar Ambikaprasad Tiwari	Bhandara Rd.	Not filed	Nil	Nil	From 18-10-1994	Nil	Not specified
81.	81	Harikrishan Natthuji Bhure	Bhandara Rd.	W-195	Nil	1994-95 to 2005	From 18-10-1994	Nil	Not specified
82.	82	Keshav Pandurang Masram	Bhandara Rd.	W-136	Nil	1994-95 to 2005	From 1-2-1995	Nil	Not specified
83.	83	Kaneha Ramprasad Gupta	Bhandara Rd.	W-196	Nil	1994-95 to 2005	From 23-10-1994	Nil	Not specified
84.	84	Manojkumar Jagdishprasad Shukla	Bhandara Rd.	W-197	Nil	1994-95 to 2005	From 23-10-1994	Nil	Not specified
85.	85	Shiva Bhadarka Meshram	Bhandara Rd.	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
86.		Ajay Chotelal Yadav	Tumsar Rd.	W-175	I. Card	1994-95 to 2005	From 1-12-1994	Nil	Not specified
87.		Kashiram Sitaram Sathawane	Tumsar Rd.	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
88.		Ajay Sambhaji Gajbhiye	Tumsar Rd.	W-115	I. Card and certificate	1994-95 to 2005	Not mentioned	From 1-11-1994	Not specified
89.		Sanjay Chotelal Yadav	Tumsar Rd.	W-189	I. Card	1994-95 to 2005	From 16-11-1993	Nil	Not specified
90.		Ghanshyam Nathu Biranwar	Tumsar Rd.	W-142	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
91.		Maroti Kashiram Kamble	Tumsar Rd.	W-116	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified
92.		Raju Sahadeo Shende	Tumsar Rd.	W-163	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified
93.		M. Fakhruddin Malil Mohd.	Tumsar Rd.	W-79	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified
94.		Anis Khan Rahim Khan	Tumsar Rd.	W-200	Nil	1994-95 to 2005	From 1-11-1994	Nil	Not specified
95.		Abhiman Istari Choudhary	Tumsar Rd.	W-190	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified
96.		Anil Vitthoba Kothangale	Tumsar Rd.	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
97.		Deelip Nathuji Dongre	Tiroda	W-125	I. Card and certificate	1994-95 to 2005	From 1-11-1994	1-4-1996 to 31-6-2004	Approx. more than 8 years
98.		Suresh Baburao	Tiroda	Not filed	Nil	Nil	From 1-12-1994	Nil	Not specified
99.		Pramod Dhondusa Saoji	Tiroda	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified
100.		Avinash Shuklal Mohite	Tiroda	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified
101.		Anil Kadadu Padole	Gondia	Not filed	Nil	Nil	From 8-11-1994	Nil	Not specified
102.		Ramkaran Jogister Waghmare	Gondia	Not filed	Nil	Nil	From 10-11-1994	Nil	Not specified
103.		Ramesh Murlidhar Lute	Gondia	Not filed	Nil	Nil	From 10-11-1994	Nil	Not specified
104.		Anil Chandrabhan Meshram	Gondia	W-151	Nil	Nil	Not mentioned	Nil	Not specified
105.		Prakash Kewaldas Rangari	Gondia	W-184	Certificate	1994-95 to 2005	From 11-11-1994	11-11-1994 to 22-12-1998	Approx. more than 4 years
106.		Rajendra Prasad Ramprasad Pal	Gondia	W-194	I. Card	1994-95 to 2005	From 4-12-1994	Nil	Not specified
107.		Sailesh Govindrao Patil	Gondia	W-102	Certificate	1994-95 to 2005	From 11-11-1995	From 11-1-1995	Not specified
108.		Rameshwar Sitaram Lanjewar	Gondia	W-103	Certificate	1994-95 to 2005	From 13-1-1995	Not mentioned	Not specified
109.		Sanjay Mahadeo Borkar	Gondia	W-214	I. Card	1994-95 to 2005	From 28-1-1995	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
10.	110	Nathu Mahadeo Borkar	Gondia	W-73	I. Card	1994-95 to 2005	From 28-1-1995	Nil	Not specified
11.	111	Prakash Bashorilal Yadav	Gondia	W-203	Nil	1994-95 to 2005	From 28-1-1995	Nil	Not specified
12.	112	Srinivas Veer Raju Ch.	Gondia	W-171	Certificate	1994-95 to 2005	From 28-1-1995	From 19-1-1995	Not specified
13.	113	Maresh Prajapati	Gondia	W-157	Nil	1994-95 to 2005	From 28-1-1995	Nil	Not specified
14.	114	Shrikristna Ramaji Sathawane	Gondia	Not filed	Nil	Nil	From 1-2-1995	Nil	Not specified
15.	115	Pawan kumar kishorilal Dhare	Gondia	W-101	Certificate	1994-95 to 2005	From 3-2-1995	From 3-2-1995	Not specified
16.	116	Suraj Karudas Kathane	Gondia	W-88	I. Card	1994-95 to 2005	From 3-2-1995	Nil	Not specified
17.	117	Rakesh Fakirchand Sawaitul	Gondia	W-89	I. Card	1994-95 to 2005	From 3-2-1995	Nil	Not specified
18.	118	Raju Natthuji Dongre	Gondia	Not filed	Nil	1994-95 to 2005	From 3-2-1995	Nil	Not specified
19.	119	Ishwarsingh Gokulsingh Madavi	Gondia	W-93	I. Card	1994-95 to 2005	From 13-2-1995	Nil	Not specified
20.	120	Girish Shankar Dhawale	Gondia	W-168	Certificate	1994-95 to 2005	From 14-2-1995	From 17-2-1995	Not specified
21.	121	Ashok Mansaram Chandankar	Gondia	W-92	I. Card	1994-95 to 2005	From 21-3-1995	Nil	Not specified
22.	122	Nageshwarao Vir Raju	Gondia	Not filed	Nil	Nil	From 24-3-1995	Nil	Not specified
23.	123	Ashok Govinda Misar	Gondia	W-84	I. Card and certificate	1994-95 to 2005	From 3-4-1995	From 4-4-1995	Not specified
24.	124	Bapatrao Arjan Bansod	Gondia	Not filed	Nil	Nil	From 10-4-1995	Nil	Not specified
25.	125	Vijay Asaram Lanjewar	Gondia	W-78	Certificate	1994-95 to 2005	From 23-6-1995	From 23-6-1995	Not specified
26.	126	Abdul Kalam Sheikh	Gondia	W-104	Certificate	1994-95 to 2005	From 23-6-1995	From 23-6-1995	Not specified
27.	127	Sanjay kumar Shambhu Yadav	Gondia	W-185	Certificate	1994-95 to 2005	From 28-6-1995	From 1-4-1995	Not specified
28.	128	Madhusudhan Laruram Uikey	Gondia	W-146	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified
29.	129	Shyamat kumar Vishwanath Modak	Gondia	W-97	I. Card	1994-95 to 2005	From 17-5-1995	Nil	Not specified
30.	130	Omprakash Maroti Mane	Gondia	W-148	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified
31.	131	Sunil Kumar premlal Dhurve	Gondia	W-94	I. Card	1994-95 to 2005	From 28-6-1995	Nil	Not specified
32.	132	Mohapat Bakaram Muly	Gondia	W-205	Nil	1994-95 to 2005	From 18-6-1995	Nil	Not specified
33.	133	Chakradhar Gaibhiye	Gondia	Not filed	Nil	Nil	From 7-7-1995	Nil	Not specified
34.	134	Shailesh Shrawan Bagade	Gondia	W-181	I. Card	1994-95 to 2005	From 29-6-1995	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
35.	135	Hanumantrao Baburao Chandankar	Gondia	W-152	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified
36.	136	Sunil Jaiiram Ramteke	Gondia	W-95	I. Card	1994-95 to 2005	From 29-6-1995	Nil	Not specified
37.	137	Ravishankar Premchand Bathwa	Gondia	W-145	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified
38.	138	Rakesh Deolai Madavi	Gondia	W-204	Nil	1994-95 to 2005	From 13-7-1995	Nil	Not specified
39.	139	Rajesh Deolai Madavi	Gondia	W-156	Nil	1994-95 to 2005	From 13-7-1995	Nil	Not specified
40.	140	Ramkrishna Saktharam Bohare	Gondia	W-166	Certificate	1994-95 to 2005	From 23-7-1995	From 1-1-1995	Not specified
41.	141	Paras Gyaniram Borkar	Gondia	W-150	Nil	1994-95 to 2005	From 8-8-1995	Nil	Not specified
42.	142	Jitendra Dashrath Damahe	Gondia	W-144	Nil	1994-95 to 2005	From 1-9-1995	Nil	Not specified
43.	143	Ravi Tejram Raut	Gondia	Not filed	Nil	Nil	From 26-9-1995	Nil	Not specified
44.	144	Anantkumar Domaji Khobragade	Gondia	W-179	I. Card	1994-95 to 2005	From 30-9-1995	Nil	Not specified
45.	145	Ravindra Anandrao Thalal	Gondia	W-90	I. Card	1994-95 to 2005	From 2-10-1995	Nil	Not specified
46.	146	Ishwarrao Chhinnarao Rashkatta	Gondia	W-201	Nil	1994-95 to 2005	From 4-10-1995	Nil	Not specified
147	147	Shankar Jivlane Meshram	Gondia	W-149	Nil	1994-95 to 2005	From 30-10-1995	Nil	Not specified
148	148	Paras Manohar Mendekar	Gondia	W-180	I. Card and certificate	1994-95 to 2005	From 25-11-1995	From 25-11-1995	Not specified
49.	149	Shivaji Panjabrao Khapre	Gondia	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
150.	150	Manoj Parasram Meshram	Gondia	Not filed	Nil	Nil	From 28-11-1995	Nil	Not specified
151.	151	Navin Rajaram Thawre	Gondia	W-87	I. Card	1994-95 to 2005	From 28-11-1995	Nil	Not specified
152.	152	Bhushan Ganesh Sahare	Gondia	W-98	I. Card	1994-95 to 2005	From 1-2-1996	Nil	Not specified
153.	153	Ramesh Nakaramji Gomase	Gondia	W-99	I. Card	1994-95 to 2005	From 3-2-1996	Nil	Not specified
154.	154	Bhagwan Sadashiv Thawkar	Gondia	W-182	I. Card	1994-95 to 2005	From 3-2-1996	Nil	Not specified
155.	155	Rajesh Atmaram Supatkar	Rajnangaon	W-72	I. Card and certificate	1994-95 to 2005	Not mentioned	From 1.4.1995	Not specified
156.	156	Tejram Balaram Tulsikar	Gondia	Not filed	Nil	Nil	From 23-3-1995	Nil	Not specified
157.	157	Vikash Mitaram Bhamarde	Gondia	Not filed	Nil	Nil	From 1-9-1995	Nil	Not specified
158.	158	Ganesh Raoji Borkar	Gondia	Not filed	Nil	Nil	From 15-8-1995	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
59.	159	Dushyant Bhartlal Dewangan	Rajnangaon	W-158	Nil	Nil	From 3-6-1995	Nil	Not specified
60.	160	Maniklal Raghuber Dewangan	Rajnangaon	W-159	Nil	Nil	From 3-6-1995	Nil	Not specified
61.	161	Sharad Udaram Chware	Rajnangaon	W-160	Nil	Nil	From 27-4-1995	Nil	Not specified
62.	162	Jalil Sattar Beg	Rajnangaon	W-80	I. Card	1994-95 to 2005	From 8-4-1994	Nil	Not specified
63.	163	Shyam Lal Rambaran Raut	Rajnangaon	W-206	Nil	1994-95 to 2005	From 1995	Nil	Not specified
64.	164	Sanjay Domaji Khobragade	Rajnangaon	Not filed	Nil	Nil	From 13-9-1995	Nil	Not specified
65.	165	Pramod Shriram Khobragade	Rajnangaon	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
66.	166	Rajesh Damodar Pande	Itwari	W-134	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified
67.	167	Anand Naidu	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
68.	168	Kishore Maroti Meshram	Itwari	W-177	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
69.	169	Rajesh Shripat Gedam	Itwari	W-209	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
70.	170	Dinesh Shamrao Ingole	Itwari	W-164	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
71.	171	Sandeep Damodar Budhe	Itwari	W-131	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified
72.	172	Devidas Hari Madame	Itwari	W-220	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
73.	173	Gopal Budhram Raut	Itwari	W-223	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
74.	174	Deepak Deoman Bharné	Itwari	W-219	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
75.	175	Moreshwar Masboinwar	Itwari	W-211	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
76.	176	Madhukar Ramaji Meshram	Itwari	W-221-	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
77.	177	Jitendra Baldeo Chauhan	Itwari	W-193	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified
78.	178	Sheikh Rafique Sheikh Gaffur	Itwari	W-161	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
79.	179	Sheikh Babbu	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
80.	180	Keshav Vishwanath Kove	Itwari	W-162	Nil	Nil	Not mentioned	Nil	Not specified
81.	181	Damodhar Kothangale	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
82.	182	Jairam Shyamrao	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified

1	2	3	4	5	6	7	8	9	10
183.	183	Kavtik Fakira Meshram	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
184.	184	Baban Daulat Yadav	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
185.	185	Shankar Vitthal Namarware	Itwari	W-208	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
186.	186	Bapudas Vithoba Kove	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
187.	187	Sachin Shyamrao	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
188.	188	Laxman Yadavrao Sawarkar	Itwari	W-132	I Card	1994-95 to 2005	Not mentioned	Nil	Not specified
189.	189	Sharad Haridas Lonare	Itwari	W-212	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
190.	190	Abhay Nipane	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
191.	191	Ashok Raghunath Ukey	Itwari	W-222	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
192.	192	Manohar Shyamrao Ingole	Itwari	W-176	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
193.	193	Vijay Lalaji Panchabudhe	Itwari	W-210	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
194.	194	Kulpath Tikaram	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
195.	195	Mahendra Ramlochan Shukla	Itwari	W-75	I. Card and certificate	1994-95 to 2005	Not mentioned	From 12-10-1994	Not specified
196.	196	Gajanan Nagorao Shove	Itwari	W-133	I. Card and certificate	1994-95 to 2005	Not mentioned	From 1-11-1994	Not specified
197.	197	Sarju Dinesh Sarkar	Itwari	W-74	I Card and certificate	1994-95 to 2005	Not mentioned	1995 to 2005	Not specified
198.	198	Prabhakar Ramchandra Goghate	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified
199.	199	Roshan Murlidhar Janbandhu	Itwari	W-207	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
200.	200	Ravindra Baburao Wasnik	Itwari	W-165	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified
201.	201	Jitendra Domaji Rangari	Itwari	W-169	I. Card	1994-95 to 2005	Not mentioned	Nil	Not specified

Ref: Case No. 36/2002

Party No. 1: Senior Divisional Commercial Manager S.E. C. Rly.

Nagpur Division Nagpur

Verses

Party No. 2: Through General Secretary, Parcel Porter Sangathan, S.E.C. Rly., Nagpur

Annexure-B**Detailed List of all petitioners with particulars who have filed affidavits but no documents**

Sl. No.	Sr. No. in the reference	Name of the Workman	Working Station	Affidavit Exhibit No.	Documents with description and exh. No.	Working period as per affidavit	Working period as per list of the reference	Working period as per certificates	Total working days	Whether entitled for regularisation
1	2	3	4	5	6	7	8	9	10	11
1	2	Mohan Narayan Burade	Tumsar Rd.	W-140	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified	
2	9	Umesh Bhajandas Gajbhhiye	Gondia	W-202	Nil	1994-95 to 2005	From 8-6-1995	Nil	Not specified	
3	19	Ramchandra Mahadeo Janbandhu	Tumsar Rd.	W-198	Nil	1994-95 to 2005	From 1-11-1994	Nil	Not specified	
4	29	Gyaneshwar Haridas Raut	Gondia	W-155	Nil	1994-95 to 2005	From 27-12-1995	Nil	Not specified	
5	32	Bramhanand Nago Burde	Tumsar Rd.	W-217	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified	
6	36	Diwaru Bajirao Waghmare	Bhandara Rd.	W-138	Nil	1994-95 to 2005	From 18-10-1994	Nil	Not specified	
7	45	Madan Balkaran Khairba	Bhandara Rd.	W-137	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified	
8	48	Mohan Purushottam Rao	Gondia	W-153	Nil	1994-95 to 2005	From 1-2-1995	Nil	Not specified	
9	50	Ramesh Dashrath Dewangan	Gondia	W-215	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
10	51	Sripad Hemraj Salawane	Tumsar Rd.	W-213	Nil	Nil	From 1-11-1994	Nil	Not specified	
11	53	Rakesh Chaman Dohane	Gondia	W-170	Nil	1994-95 to 2005	From 20-10-1995	Nil	Not specified	
12	54	Mangesh Natha Ukey	Gondia	W-218	Nil	1994-95 to 2005	From 27-7-1995	Nil	Not specified	
13	56	Manish Maheshchand Saxena	Tumsar Rd.	W-143	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
14	58	Kailash Sakaru Mahule	Tumsar Rd.	W-141	Nil	1994-95 to 2005	From 1-11-1994	Nil	Not specified	

2	3	4	5	6	7	8	9	10	11
59	Numeshwar Pyarelal Sahu	Tumsar Rd.	W-199	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
60	Mahendra Sukharam Yadav	Gondia	W-147	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
71	Hansaraj Shivaji Khandekar	Kamptee	W-178	Nil	1994-95 to 2005	From 16-10-1994	Nil	Not specified	
73	Devendra Bhagwandas Ranga	Kamptee	W-216	Nil	1994-95 to 2005	From 16-10-1994	Nil	Not specified	
75	Deepak Nagorao Kathane	Kamptee	W-135	Nil	1994-95 to 2005	From 16-10-1994	Nil	Not specified	
79	Sanjay Shaligram Narwadiya	Bhandara Rd.	W-139	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
81	Harikishan Natthuji Bhure	Bhandara Rd.	W-195	Nil	1994-95 to 2005	From 18-10-1994	Nil	Not specified	
82	Keshav Pandurang Masram	Bhandara Rd.	W-136	Nil	1994-95 to 2005	From 1-2-1995	Nil	Not specified	
83	Kaneha Ramprasad Gupta	Bhandara Rd.	W-196	Nil	1994-95 to 2005	From 23-10-1994	Nil	Not specified	
84	Manojkumar Jagdishprasad Shukla	Bhandara Rd.	W-197	Nil	1994-95 to 2005	From 23-10-1994	Nil	Not specified	
90	Ghanshyam Natthu Biranwar	Tumsar Rd.	W-142	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
92	Raju Sahadeo Shende	Tumsar Rd.	W-163	Nil	1994-95 to 2005	From 1-12-1994	Nil	Not specified	
94	Anis Khan Rahim Khan	Tumsar Rd.	W-200	Nil	1994-95 to 2005	From 1-11-1994	Nil	Not specified	
104	Anil Chandrabhan Meshram	Gondia	W-151	Nil	Nil	Not mentioned	Nil	Not specified	
111	Prakash Bashorilal Yadav	Gondia	W-203	Nil	1994-95 to 2005	From 28-1-1995	Nil	Not specified	
113	Maresh Prajapati	Gondia	W-157	Nil	1994-95 to 2005	From 28-1-1995	Nil	Not specified	
128	Madhusudhan Laruram Ukey	Gondia	W-146	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified	
130	Omprakash Maroti Mane	Gondia	W-148	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified	
132	Mohapat Bakaram Muly	Gondia	W-205	Nil	1994-95 to 2005	From 18-6-1995	Nil	Not specified	
135	Hanumantrao Baburao Chandan	Gondia	W-152	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified	
137	Ravishankar Premchand Bathwa	Gondia	W-145	Nil	1994-95 to 2005	From 28-6-1995	Nil	Not specified	
138	Rakesh Deolal Madavi	Gondia	W-204	Nil	1994-95 to 2005	From 13-7-1995	Nil	Not specified	
139	Rajesh Deolal Madavi	Gondia	W-156	Nil	1994-95 to 2005	From 13-7-1995	Nil	Not specified	

1	2	3	4	5	6	7	8	9	10	11
38	141	Paras Gyaniram Borkar	Gondia	W-150	Nil	1994-95 to 2005	From 8-8-1995	Nil	Not specified	
39	142	Jitendra Dashrath Damahe	Gondia	W-144	Nil	1994-95 to 2005	From 1-9-1995	Nil	Not specified	
40	146	Ishwarrao Chhinnarao Rashka	Gondia	W-201	Nil	1994-95 to 2005	From 4-10-1995	Nil	Not specified	
41	147	Shankar Jivlane Meshram	Gondia	W-149	Nil	1994-95 to 2005	From 30-10-1995	Nil	Not specified	
42	159	Dushyant Bhartlal Dewangan	Rajnangaon	W-158	Nil	Nil	From 23-6-1995	Nil	Not specified	
43	160	Maniklal Raghuber Dewangan	Rajnangaon	W-159	Nil	Nil	From 3-6-1995	Nil	Not specified	
44	161	Sharad Udaram Chware	Rajnangaon	W-160	Nil	Nil	From 27-4-1995	Nil	Not specified	
45	163	Shyam Lal Rambaran Raut	Rajnangaon	W-206	Nil	1994-95 to 2005	From 1995	Nil	Not specified	
46	168	Kishore Maroti Meshram	Itwari	W-177	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified,	
47	169	Rajesh Shripat Gedam	Itwari	W-209	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
48	170	Dinesh Shamrao Ingole	Itwari	W-164	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
49	172	Devidas Hari Madame	Itwari	W-220	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
50	173	Gopal Budhram Raut	Itwari	W-223	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
51	174	Deepak Deoman Bhanke	Itwari	W-219	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
52	175	Moreswar Masboinwar	Itwari	W-211	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
53	176	Madhukar Ramaji Meshram	Itwari	W-221	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
54	178	Sheikh Rafique Sheikh Gaffur	Itwari	W-161	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
55	180	Keshav Vishwanath Kove	Itwari	W-162	Nil	Nil	Not mentioned	Nil	Not specified	
56	185	Shankar Vitthal Narnarware	Itwari	W-208	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
57	189	Sharad Haridas Lonare	Itwari	W-212	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
58	191	Ashok Raghunath Ukey	Itwari	W-222	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
59	192	Manohar Shyamrao Ingole	Itwari	W-176	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
60	193	Vijay Lalaji Panchabudhe	Itwari	W-210	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
61	199	Roshan Murlidhar Janbandhu	Itwari	W-207	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	
62	200	Ravindra Baburao Wasnik	Itwari	W-165	Nil	1994-95 to 2005	Not mentioned	Nil	Not specified	

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NAGPUR

Ref : Case No. 36/2002

Party No. 1: Senior Divisional Commercial Manager S.E. C. Rly.

Nagpur Division Nagpur

Verses

Party No. 2: Through General Secretary, Parcel Porter Sangathanana, S.E.C. Rly., Nagpur

Annexure-C

List of petitioners who have not filed affidavit

Sl. No. in the reference	Name of the Workman	Working Station	Working Station	Affidavit Exhibit No.	Documents with description and Exh. No.	Working period as per affidavit	Working period as per list of the reference	Working period as per certificates	Total working days	Whether Entitled for regularization
1	2	3	4	5	6	7	8	9	10	11
1	3	Suresh Manik Navghare	Tumsar Rd.	Not filed	Nil	Nil	From 1-12-1994	Nil	Not specified	Not entitled
2	4	Anandram Ranadhar Verma	Tumsar Rd.	Not filed	Nil	Nil	From 15-11-1994	Nil	Not specified	Not entitled
3	8	Mahadeo Sovinda Mane	Rajnandgaon	Not filed	Nil	Not mentioned	Not mentioned	Nil	Not specified	Not entitled
4	10	Vasudeo Sahadeo Bante	Gondia	Not filed	Nil	Nil	From 13-3-1995	Nil	Not specified	Not entitled
5	23	Shriram Hari Navghare	Gondia	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
6	24	Vikas Mitaram Bhamarde	Gondia	Not filed	Nil	Nil	From 1-9-1995	Nil	Not specified	Not entitled
7	41	Prakash Eknath Gawande	Tumsar Rd.	Not filed	Nil	Nil	From 1-1-1995	Nil	Not specified	Not entitled
8	42	Deepak Narayan Raut	Gondia	Not filed	Nil	Nil	From 5-1-1995	Nil	Not specified	Not entitled
9	43	Arun Madhukar Barsagade	Gondia	Not filed	Nil	Nil	From 20-12-1994	Nil	Not specified	Not entitled
10	47	Nareesh Gopal Padore	Rajnandgaon	Not filed	Nil	Nil	From 13-4-1995	Nil	Not specified	Not entitled
11	52	Milind Jayaram Bowate	Bhandara Rd.	Not filed	Nil	Nil	From 10-1-1995	Nil	Not specified	Not entitled
12	55	Gautam Govindrao Thakur	Gondia	Not filed	Nil	Nil	From 6-11-1994	Nil	Not specified	Not entitled
13	57	Radheshyam Sitaram Bawane	Tumsar Rd.	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified	Not entitled
14	69	Rajesh Keshao Wasnik	Kamptee	Not filed	Nil	Nil	From 16-10-1994	Nil	Not specified	Not entitled
15	72	N.Shree Niwasrao	Kamptee	Not filed	Nil	Nil	From 25-3-1995	Nil	Not specified	Not entitled
16	78	Vikash Bakarama Fedre	Bhandara Rd.	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
17	80	Arvindkumar Ambikaprasad Tiwari	Bhandara Rd.	Not filed	Nil	Nil	From 18-10-1994	Nil	Not specified	Not entitled
18	85	Shiva Bhadarka Meshram	Bhandara Rd.	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified	Not entitled
19	87	Kashiram Sitaram Sathawane	Tumsar Rd.	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled

1	2	3	4	5	6	7	8	9	10	11
20	96	Anil Vithoba Kothangale	Tumsar Rd.	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
21	98	Suresh Baburao	Tiroda	Not filed	Nil	Nil	From 1-12-1994	Nil	Not specified	Not entitled
22	99	Pramod Dhondusa Saoji	Tiroda	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified	Not entitled
23	100	Avinash Shuklal Mohite	Tiroda	Not filed	Nil	Nil	From 1-11-1994	Nil	Not specified	Not entitled
24	101	Anil Kadam Padole	Gondia	Not filed	Nil	Nil	From 8-11-1994	Nil	Not specified	Not entitled
25	102	Ramkaran Jogister Waghmare	Gondia	Not filed	Nil	Nil	From 10-11-1994	Nil	Not specified	Not entitled
26	103	Ramesh Murlidhar Lute	Gondia	Not filed	Nil	Nil	From 10-11-1994	Nil	Not specified	Not entitled
27	114	Shrikrishna Ramaji Sathawane	Gondia	Not filed	Nil	Nil	From 1-2-1995	Nil	Not specified	Not entitled
28	118	Raju Naathuji Dongre	Gondia	Not filed	Nil	1994-95 to 2005	From 3-2-1995	Nil	Not specified	Not entitled
29	122	Nageshwarrao Vir Raju	Gondia	Not filed	Nil	Nil	From 24-3-1995	Nil	Not specified	Not entitled
30	124	Bapatrao Arjan Bansod	Gondia	Not filed	Nil	Nil	From 10-4-1995	Nil	Not specified	Not entitled
31	133	Chakradhar Gasbhive	Gondia	Not filed	Nil	Nil	From 7-7-1995	Nil	Not specified	Not entitled
32	143	Ravi Tejram Raut	Gondia	Not filed	Nil	Nil	From 26-9-1995	Nil	Not specified	Not entitled
33	149	Shivaji Panjabrao Khapre	Gondia	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
34	150	Manoj Parasram Meshram	Gondia	Not filed	Nil	Nil	From 28-11-1995	Nil	Not specified	Not entitled
35	156	Tejram Balaram Tulsikar	Gondia	Not filed	Nil	Nil	From 23-3-1995	Nil	Not specified	Not entitled
36	157	Vikash Mitaram Bhamarde	Gondia	Not filed	Nil	Nil	From 1-9-1995	Nil	Not specified	Not entitled
37	158	Ganesh Raoji Borkar	Gondia	Not filed	Nil	Nil	From 15-8-1995	Nil	Not specified	Not entitled
38	164	Sanjay Domaji Khobragade	Rajnandgaon	Not filed	Nil	Nil	From 13-9-1995	Nil	Not specified	Not entitled
39	165	Pramod Shriram Khobragade	Rajnandgaon	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
40	167	Anand Naidu	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
41	179	Sheikh Babbu	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
42	181	Damodhar Kothangale	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
43	182	Jairam Shyamrao	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
44	183	Kavtik Fakira Meshram	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
45	184	Baban Daulat Yadav	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
46	186	Bapudas Vithoba Kove	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
47	187	Sachin Shyamrao	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
48	190	Abhay Nipane	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
49	194	Kulpath Tikaram	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled
50	198	Prabhakar Ramchandra Goghate	Itwari	Not filed	Nil	Nil	Not mentioned	Nil	Not specified	Not entitled

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NAGPUR**Ref : Case No. 36/2002****Party No. 1: Senior Divisional Commercial Manager S.E. C. Rly.,****Nagpur Division Nagpur****Verses****Party No. 2: Through General Secretary, Parcel Porter Sangathana, S.E.C. Rly., Nagpur****Annexure-D****Particulars of the workman who have given evidence before the Tribunal after Remand**

Sr. no.	Affidavit Exhibit No.	Name of the Workman	Working Station
1	2	3	4
1	W-72	Rajesh Atmaram Supatkar	Rajnandgaon
2	W-73	Nathu Mahadeo Borkar	Gondia
3	W-74	Sarju Dinesh Sarkar	Itwari
4	W-75	Mahendra Ramlochan Shukla	Itwari
5	W-76	Rajesh Wasudeo Nagpure	Tiroda
6	W-77	Sunil Kumar Hariprasad Yadav	Kamptee
7	W-78	Vijay Aasaram Lanjewar	Gondia
8	W-79	M. Fakruddin Malil Mohd.	Tumsar Rd.
9	W-80	Jalil Sattar Beg	Rajnandgaon
10	W-81	Mahendra Pandurang Singanjode	Bhandara Rd.
11	W-82	Vasant Yadavrao Barsagade	Gondia
12	W-83	Bharat Dawaduji Budhe	Gondia
13	W-84	Ashok Govinda Misar	Gondia
14	W-85	Bramhanand Fattu Meshram	Gondia
15	W-86	Mahadeo Ramchandraj Baraska	Gondia
16	W-87	Navin Rajaram Thawre	Gondia
17	W-88	Suraj Karudas Kathane	Gondia
18	W-89	Rakesh Fakirchand Sawaitul	Gondia
19	W-90	Ravindra Anandrao Thalal	Gondia
20	W-91	Arun Shamrao Rokade	Gondia
21	W-92	Ashok Mansaram Chandankar	Gondia
22	W-93	Ishwarsingh Gokulsingh Madavi	Gondia
23	W-94	Sunil Kumar Premlal Dhurve	Gondia
24	W-95	Sunil Jairam Ramteke	Gondia
25	W-96	Subhash Ratiram Iswarkar	Gondia
26	W-97	Shyamal Kumar Vishwanath Moda	Gondia
27	W-98	Bhushan Ganesh Sahare	Gondia
28	W-99	Ramesh Nakaramji Gomase	Gondia
29	W-100	Ravindra Baliram Dhok	Gondia
30	W-101	Pawan Kumar Kishorilal Dhare	Gondia
31	W-102	Sailesh Govindrao Patil	Gondia

1	2	3	4
32	W-103	Rameshwar Sitaram Lanjewar	Gondia
33	W-104	Abdul kalam sheikh Jamal	Gondia
34	W-105	Umrao Mahadeo Chaudhary	Gondia
35	W-106	Arun Ramlal Wanjari	Kamptee
36	W-107	Arun Baburao Mahadeo	Kamptee
37	W-108	Jagdish Sewakram Mahaware	Kamptee
38	W-109	Fulchand Arjun Keshu Jagdale	Kamptee
39	W-110	Sanjay Mahadeo Junde	Kamptee
40	W-111	Mahendra Daulatrao Ramiteke	Kamptee
41	W-112	Nandkishore Chiman Gajbhiye	Bhandara Rd.
42	W-113	Vijay Natthu Ninawe	Tumsar Rd.
43	W-114	Budharam Neelkanth Thawkar	Tumsar Rd.
44	W-115	Ajay Sambhaji Gajbhiye	Tumsar Rd.
45	W-116	Maroti Kashiram Kamble	Tumsar Rd.
46	W-117	Krishna Sheshram Kadao	Tumsar Rd.
47	W-118	Koteswar Gopalrao Jecru	Tumsar Rd.
48	W-119	Sanjay Hiralal Yadav	Tumsar Rd.
49	W-120	Prakash Narayan Tijare	Tiroda
50	W-121	Satish Shidulal Sahare	Tiroda
51	W-122	Deepat. Nathuji Lanjewar	Tiroda
52	W-123	Prakash Duryodhan Tijare	Tiroda
53	W-124	Deepankar Jangluji Gedam	Tiroda
54	W-125	Delip Nathuji Dongre	Tiroda
55	W-126	Rajesh Jangluji Meshram	Tiroda
56	W-127	Sanjay Yeshwant Atkari	Tiroda
57	W-128	Bisan Kawadu Thawkar	Tiroda
58	W-129	Prakash Premal Mele	Tiroda
59	W-130	Bhaurao Kupat Selokar	Itwari
60	W-131	Sandeep Damodar Budhe	Itwari
61	W-132	Laxman Yadavrao Sawarkar	Itwari
62	W-133	Gajanan Nagorao Shor	Itwari
63	W-134	Rajesh Damodar Pande	Itwari
64	W-135	Deepak Nagorao Kathane	Kamptee
65	W-136	Keshav Pandurang Masram	Bhandara Rd.
66	W-137	Madan Balkaran Khairba	Bhandara Rd.
67	W-138	Diwaru Bajirao Waghmare	Bhandara Rd.
68	W-139	Sanjay Shalikram Narwadiya	Bhandara Rd.
69	W-140	Mohan Narayan Burade	Tumsar Rd.
70	W-141	Kailash Sakaru Mahule	Tumsar Rd.
71	W-142	Ghanshyam Natthu Biranwar	Tumsar Rd.
72	W-143	Manish Maheshchand Saxsena	Tumsar Rd.

1	2	3	4
73	W-144	Jitendra Dashrath Dhungayae	Gondia
74	W-145	Ravishankar Premchand Bathwa	Gondia
75	W-146	Madhusudhan Laruram Uikey	Gondia
76	W-147	Mahendra Sukharam Yadav	Gondia
77	W-148	Omprakash Maroti Mane	Gondia
78	W-149	Shankar Jivlane Meshram	Gondia
79	W-150	Paras Gyaniram Borkar	Gondia
80	W-151	Anil Chandrabhan Meshram	Gondia
81	W-152	Hanumantrao Baburao Chandan	Gondia
82	W-153	Mohan Purushottam Rao	Gondia
83	W-154	Raju Natthuji Dongre	Gondia
84	W-155	Gyaneshwar Haridas Raut	Gondia
85	W-156	Rajesh Deolal Madavi	Gondia
86	W-157	Mahesh Prajapati	Gondia
87	W-158	Dushyant Bhartlal Dewangan	Rajnangaon
88	W-159	Maniklal Raghuber Dewangan	Rajnangaon
89	W-160	Sharad Udaram Chware	Rajnangaon
90	W-161	Sheikh Rafique Sheikh Gaffur	Itwari
91	W-162	Keshav Vishwanath Kove	Itwari
92	W-163	Raju Sahadeo Shende	Tumsar Rd.
93	W-164	Dinesh Shamrao Ingole	Itwari
94	W-165	Ravindra Baburao Wasnik	Itwari
95	W-166	Ramkrishna Sakharam Bohare	Gondia
96	W-167	Vinod Jagdish Meshram	Gondia
97	W-168	Girish Shankar Dhawale	Gondia
98	W-169	Jitendra Domaji Rangari	Itwari
99	W-170	Rakesh Chaman Dohane	Gondia
100	W-171	Sriniwas Veer Raju Ch.	Gondia
101	W-172	Naqesh Pralhad Gajhbiye	Kamptee'
102	W-173	Satnam Ratansingh	Kamptee
103	W-174	Radheshyam Kallu Gondhar	Kamptee
104	W-175	Ajay Chotelal Yadav	Tumsar Rd.
105	W-176	Manohar Shyamrao Ingole	Itwari
106	W-177	Kishore Maroti Meshram	Itwari
107	W-178	Hansaraj Shivaji Khandekar	Kamptee
108	W-179	Anantkumar Domaji Khobragade	Gondia
109	W-180	Paras Manohar Mendekar	Gondia
110	W-181	Shailesh Shrawan Bagade	Gondia
111	W-182	Bhagwan Sadashiv Thawkar	Gondia
112	W-183	Shriram Subairam Jaiswar	Gondia

1	2	3	4
113	W-184	Prakash Kewaldas Rangari	Gondia
114	W-185	Sanjay Kumar Shambhu Yadav	Gondia
115	W-186	Panneru Viiay Shekar Rao	Gondia
116	W-187	Umashankar Asaram Shende	Gondia
117	W-188	Rajesh Samarth Bansod	Kamptee
118	W-189	Sanjay Chotelal Yadav	Tumsar Rd.
119	W-190	Abhiman Istaru Choudhary	Tumsar Rd.
120	W-191	Ashok Shyamkuwar	Tiroda
121	W-192	Bandya Ramaji Manwatkar	Tiroda
122	W-193	Jitendra Baldeo Chauhan	Itwari
123	W-194	Rajendra Prasad Ramprasad Pal	Gondia
124	W-195	Harikishan Natthuji Bhure	Bhandara Rd.
125	W-196	Kanhayya Ramprasad Gupta	Bhandara Rd.
126	W-197	Manojkumar Jagdishprasad Shuk	Bhandara Rd.
127	W-198	Ramchandra Mahadeo Janbandh	Tumsar Rd.
128	W-199	Numeshwar Pyarelal Sahu	Tumsar Rd.
129	W-200	Anis Khan Rahim Khan	Tumsar Rd.
130	W-201	Ishwarrao Chhinnarao Rashkatta	Gondia
131	W-202	Umesh Bhaiandas Gajbhhiye	Gondia
132	W-203	Prakash Bashorilal Yadav	Gondia
133	W-204	Rakesh Dewlal Madavi	Gondia
134	W-205	Mohapat Bakaram Mule	Gondia
135	W-206	Shyamlal Rambaran Raut	Rajnangoon
136	W-207	Roshan Murlidhar Janbandhu	Itwari
137	W-208	Shankar Vitthal Narnaware	Itwari
138	W-209	Rajesh Shripat Gedam	Itwari
139	W-210	Viiay Lalaji Panchabudhe	Itwari
140	W-211	Moreshwar Masboinwar	Itwari
141	W-212	Sharad Lonare	Itwari
142	W-213	Sripat Hemraj Satwane	Tumsar Rd.
143	W-214	Sanjay Mahadeo Borkar	Gondia
144	W-215	Ramesh Dashrath Dewangan	Gondia
145	W-216	Devendra Bhagwandas Rangari	Kamptee
146	W-217	Bramhanand naga Burde	Tumsar Rd.
147	W-218	Mangesh Natha Ukey	Gondia
148	W-219	Deepak Deoman Bharne	Itwari
149	W-220	Devidas Hari Madame	Itwari
150	W-221	Madhukar Ramaji Meshram	Itwari
151	W-222	Ashok Raghunath Ukey	Itwari
152	W-223 -	Gopal Budhram Raut	Itwari

नई दिल्ली, 26 जुलाई, 2010

का. आ. 2072.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 201/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-07-2010 को प्राप्त हुआ था।

[सं. एल-22012/211/1995-आई आर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 26th July, 2010

S. O. 2072.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 201/95) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 26-7-2010.

[No. L-22012/211/1995-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/201/95

PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN

The Secretary,
M.P. Koyla Shramik Sangh (CITU),
Post Kotma Colliery,
Distt. Shahdol (MP)

.... Workman/Union

Versus

The Sub Area Manager,
Jamuna and Kotma Area of SECL,
Post Jamuna Colliery,
Distt. Shahdol (MP)

.... Management

AWARD

Passed on this 19th day of July-2010

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/211/95-IR(C-II) dated 16-11-95 has referred the following dispute for adjudication by this tribunal :—

“ Whether the action of the Sub Area Manager, Kotma R.O of Jamuna & Kotma Area of SECL in dismissing Shri D.K. Ghosh, Tub writer, Shri Chotelal, Timberman and Shri Dharamjit, clipper (all employed at Kotma colliery) w.e.f. 15-7-94 is legal and justified? If not, to what relief the workmen are entitled?”

2. The case of the Union/workmen, in short is that the workmen namely Shri D.K. Ghosh, Tub Writer, Shri Chotelal, Timberman and Shri Dharamjit, clipper were working with the nonapplicant/management. They were charge-sheeted against the provision of certified standing order for misconduct of alleged assault and used of filthy languages alleged to have been committed by them outside the colliery premises on 9-9-93 on the day of all India strike day. The workmen denied the charges and submitted their show cause but the management initiated a department proceeding. The Enquiry Officer conducted the enquiry violating the principle of natural justice. The Enquiry Officer conducted the enquiry ex parte and on the basis of perverse finding contrary to the record held that the misconduct was proved against them. The Disciplinary authority thereafter passed the order of dismissal from the service w.e.f. 15-7-94 against them. It is submitted that the order of dismissal be held bad in law and the workmen be reinstated.

3. The management/non-applicant appeared and filed Written statement. The case of the management, inter alia, is that the workmen were working in Kotma colliery. It is alleged that on 9-9-93, at about 3.15 P.M. the above named workmen alongwith one more workman chased Shri Ram Prasad, T.No. 1036, Dresser and Shri Sitaram Gupta clipper near Pump Ghat, Kotma Colliery while they were returning home after their duties and the workmen Dharamjit and Chotelal caught hold Shri Ram Prasad. The workman Shri Ghosh assaulted him with stick and uttered filthy languages. They were chargesheeted. The workmen submitted their reply separately denying the charges. Reply were found unsatisfactory and departmental proceedings were initiated against all the three workmen separately appointing the same Enquiry Officer and Management Representative. The workman Shri D.K. Ghosh initially appeared along with co-worker. One witness Shri Ram Prasad was examined in his presence but the cross-examination was deferred for another day. Thereafter the said workman was absented for one reason or the other. Notice was sent but the same was refused to receive and therefore the notice was pasted on the notice board of the colliery. Even then Shri Ghosh did not appear and therefore the Enquiry Officer proceeded the proceeding ex parte and the Management Representative (in short M/R) examined four more witnesses. The Enquiry Officer (in short E.O) closed the proceeding and submitted enquiry report holding therein that the charge stands proved against Shri Ghosh beyond doubt.

4. The further case of the management is that the workman Shri Dharamjit also appeared in the departmental proceeding and three witnesses were examined and cross-examined in his presence. Thereafter the evidence of the management was closed and the workman examined one witness in defence and no other witness was examined by him. The E.O after closing the enquiry submitted

enquiry report holding therein that the charge stands proved.

5. The further case of the management is that the workman Chhotelal also appeared alongwith co-worker. Three witnesses were examined in his presence and they were cross-examined and discharged. Thereafter the proceeding was adjourned. The workman Shri Lal and his co-worker were absent. The management examined Dr.B.V.Das. The E.O discharged the management witness and closed the proceeding as there was no prayer for defence. The E.O submitted the enquiry report holding therein that the charges stand proved against him. The Disciplinary authority considered the enquiry reports of all the three workmen separately and was convinced that the charges stand proved of grave and in serious nature against all the three workmen which warranted them to dismiss from the services. Accordingly the Disciplinary Authority passed the order of dismissal with immediate effect from 15-7-94. In view of the above facts and circumstances, the punishment of dismissal is proportionate to the gravity of misconduct committed by them. It is submitted that the reference be answered in favour of the management.

6. The Industrial Dispute was raised by the Union/workmen. Thereafter the Ministry referred a single reference of all the three workmen under the provision of section 10 of the Industrial Dispute Act, 1947. The then Tribunal considered that the reference was related to the dismissal of three workmen, separated the case in three cases on 2-4-96 and registered as CGIT/LC/R/201 (A)/95, CGIT/LC/R/201 (B)/95 and CGIT/LC/R/201(C)/95. Again the then Tribunal clubbed together all the three cases of the reference together on 6-10-06 and is numbered as CGIT/LC/R/201/95.

7. On the pleadings of the parties, the following issues are settled for adjudication.

- I. Whether the departmental enquiry conducted against the workmen is valid, proper and legal?
- II. Whether the findings in the enquiry report were perverse?
- III. Whether the orders of dismissal against the workmen are justified?
- IV. To what relief the workmen are entitled?

8. Issue No. I

This issue is taken up as preliminary issue by the then Tribunal and after considering the entire facts and circumstances of the case as well as the documents of the departmental proceeding, it is held vide order dated 31-7-2001 that the DE conducted against the workmen is just and proper. It is further held that the management is not required to lead any more evidence to prove the

misconduct of the workmen in the case. Thus it is clear that this issue is already earlier decided. Accordingly this issue is answered.

9. Issue No. II

Before discussing the issue, it is pertinent to note that none of the parties have adduced any evidence before the Tribunal in support of their case rather the parties have only admitted all papers of all the three departmental proceedings in the case on 25-5-98. Thus except the papers of the departmental enquiry which are admitted by the parties, there is no other evidence.

10. Now the important point is as to whether the question of perversity is to be seen of the findings of the enquiry report to determine the misconduct or not? The learned Senior counsel for the management has submitted that the Tribunal does not sit in judgement on merits of the decision. It is not open to the Tribunal to re-appreciate and reappraise the evidence led before the Enquiry Officer and examine the findings recorded by the Enquiry Officer as a court of appeal and reach to its own conclusion. It is submitted that when it is decided as a preliminary issue that departmental enquiry is held proper and legal then now it is not open to see the perversity of the findings of the Enquiry Officer. The Learned Senior Counsel has himself relied upon a decision reported in (2008)5 S.C.C. 554, Usha Breco Mazdoor Sangh Versus Management of Usha Breco Ltd. And another wherein the Hon'ble Apex Court has held---

"This case involved interpretation and application of Section 11-A of the Industrial Dispute Act, 1947. Scope of Section 11-A was considered in Firestone Tyre and Rubber Co. of India (P) Ltd. case, (1973) 1 SCC 813 wherein it was inter alia held that even in cases where an enquiry has been held by employer and findings of misconduct arrived at, the Tribunal can, in view of Section 11-A, differ from that finding in a proper case and hold that no misconduct is proved.

The issue involved in this case was whether the Labour Court ought to have reappraised evidence and interfered with the punishment imposed on workmen when it itself had concluded that enquiry report was not perverse and domestic enquiry was held according to principles of natural justice.

Held:

Firestone Tyre and Rubber Co. of India (P) Ltd. case, (1973) 1 SCC 813 must be understood in the context in which it was rendered. Section 11-A of the Act as interpreted by Firestone Tyre and Rubber Co. of India (P) Ltd. case must be applied at different stages. Firstly, when the validity or legality of the domestic enquiries is in question; secondly, in the event the issue is determined in favour of the management no fresh evidence is required to

be adduced by it, whereas in the event it is determined in favour of workmen, subject to the request which may be made by management at an appropriate stage, it will be permitted to adduce fresh evidence before the Labour Court.

In the event, fresh evidence is adduced before the Labour Court by management the Labour Court will have jurisdiction to appreciate evidence. But, in a case where materials brought on record by Enquiry Officer fall for re-appreciation by the Labour Court, it should be slow to interfere therewith. It must come to a conclusion that the case was a "Proper" one therefor. The Labour Court shall not interfere with the findings of Enquiry Officer only because it is lawful to do so. It would not take recourse thereto only because another view is possible. Even assuming that, for all intent and purport, the Labour Court acts as an appellate authority over the judgment of enquiry officer, it would exercise appropriate restraint. It must bear in mind that enquiry officer also acts as a quasi-judicial body. Before it, parties are not only entitled to examine their respective witnesses, they can cross-examine witnesses examined on behalf of the other side. They are free to adduce documentary evidence. The parties as also the enquiry officer can also summon witnesses to determine the truth. The Enquiry Officer can call for even other records. It must indisputably comply with basic principles of natural justice."

In the light of above guideline, the facts and circumstances of the case as well as the evidence of DE papers are to be examined. It is evident that no fresh evidence is examined in the case. The only DE papers are the documentary evidence in the case. It is also a fact that the then Tribunal has held on 31-7-2001 that the departmental enquiry is proper and legal. The then Tribunal has further held that the management is not required to lead any more evidence to prove the misconduct of the workman in the case. This shows that the then Tribunal had come to the conclusion that the misconduct is proved against the workmen and the findings of the Enquiry Officer is not perverse. However on perusal of the DE papers, it appears that the witnesses had supported the alleged occurrence and the doctor has also corroborated the injuries found on the body of the management witness Shri Ram Prasad. Such occurrence appears to be otherwise in connection with employment. I find that the findings of the Enquiry Officer was not perverse and therefore this issue is accordingly decided.

11. Issue No. III & IV

Now another question is as to whether the punishment to these workmen is proportionate to the misconduct proved against them. It is established from the evidences adduced before the Enquiry Officer that they indulged in the act of assault and intimation by entering into the act of criminal offence. Therefore I find that the punishment is not disproportionate to the misconduct

proved against them. These issues are decided against the Union/workmen and in favour of the management. Accordingly the reference is answered.

12. In the result, the award is passed without any order to costs.

13. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD.SHAKIR HASAN, Presiding Officer

नई दिल्ली, 26 जुलाई, 2010

का. आ. 2073.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं हिन्दुस्तान पेट्रोलियम कोरपोरेशन लिमिटेड के प्रबंधन के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2, मुम्बई के पंचाट (संदर्भ संख्या 7/2003) को प्र गत करती है, जो केन्द्रीय सरकार को 26-7-2010 को प्राप्त हुआ

[सं. एल-30011/53/2002-3, एम(एम)]

कमल बाखरू, डेस्क 3 नी

New Delhi, the 26th July, 2010

S. O. 2073.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 7/2003) of the Central Government Industrial Tribunal-cum-Labour Court, No. 2 Mumbai now as shown in the Annexure in the Industrial Dispute between the employers' relation to the management of Hindustan Petroleum Corp., Ltd., and their workman, which was received by the Central Government on 26-7-2010.

[No. 1-30011/53/2002-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT

A.A. LAD

PRESIDING OFFICER

Reference No. CGIT-2/7 of 2003

Employers in relation to the management of Hindustan Petroleum Corporation Ltd.

- I. The General Manager (P&A).
Hindustan Petroleum Co. Ltd.,
Mahul Refinery, Chembur,
Mumbai-400074.

2. The Managing Partner,
M/s. Subash Gardens,
Shivram Building, Aziz Baug,
Mahul Road, Chembur-74,
Mumbai.

....First Party

V/s.

Their workman

The Secretary,
Mumbai Shramik Sangh,
Sangharsh, Quarry Road,
Bhandup (West),
Mumbai-400 078.

....Second Party

APPEARANCE:

For the Employer (1): Mr. P.K. Raveendranathan,
& Mr. B.D. Birajdar, Advocates.

(2): Mr. J.H. Sawant, Advocate

For the Workman: Dr. Armaity Irani, Advocate.

Date of passing the Award: 30-06-2010.

AWARD

The matrix of the facts as culled out from the proceedings are as under:

1. The Government of India, Ministry of Labour by its Order No.L-30011/53/2002-IR(M) dated 4th February, 2003 in exercise of the powers conferred by clause (d) of sub-section (1) and sub section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

"Whether the 51 contract workmen employed by M/s. Subash Gardens, a contractor engaged by HPCIL, Mumbai are entitled for leave with wages? If not, to what relief the workmen concerned are entitled?"

2. Claim Statement is filed by the Union at Exhibit 15 in support of subject matter referred in the Reference. Said is denied by the 1st Party by filing its reply at Exhibit 17. Issues were framed at Exhibit 18 and Reference was fixed for recording evidence of the Union.

3. Though opportunity was given to Union nobody appeared and led evidence. Said position lead me to answer the above Issues against the Union and proceed to pass the following order:

ORDER

Reference is rejected with
no order as to its costs.

A. A. LAID, Presiding Officer

Mumbai,
30th June, 2010

नई दिल्ली, 27 जुलाई, 2010

का. आ. 2074.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं सैन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय एरनाकुलम, के पंचाट (संदर्भ संख्या 12/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/74/2008-आई आर(बी-11)]

अनिल कुमार शर्मा, अनुभाग अधिकारी

New Delhi, the 27th July, 2010

S. O. 2074.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Erankulam now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 27-7-2010.

[No. L-12012/74/2008-IR(B-II)]

ANIL KUMAR SHARMA, Section Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, ERNAKULAM

Present: Shri.P.L.Norbert, B.A., LL.B., Presiding Officer
(Tuesday the 8th day of June, 2010/ 18th Jashtram, 1932)

I.D.12/2009

Workman : Shri. C.Rajagopalachari,
Sree Kailas, Samrdhi Nagar-56
Asramam, Quilon - 691 002.

By Adv. Shri. Manoj R. Nair.

Management : The Regional Manager,
Central Bank of India,
P.B.No.98, Gopal Building,
Thyvila Road,
Thiruvananthapuram-695 001.

By Adv. Sri. Devan Ramachandran.

This case coming up for hearing on 1-6-2010, this Tribunal-cum-Labour Court on 8-6-2010 passed the following.

AWARD

This is a reference made under Section 10 (1)(d) of Industrial Disputes Act. The reference is :

"Whether the action of the management of Central Bank of India in compulsorily retiring Shri C. Rajagopalachari, Head Cashier of Kadappakada Branch, Kollam is proportionate considering the gravity of the offence committed by him on 8-5-2004? What relief the workman concerned is entitled for?"

2. The facts of the case in brief are as follows:- The workman Sri. C. Rajagopalachari was the Head Cashier of Kadappakada Branch, Kollam District of Central Bank of India. While so, on 11-08-2004 he was given a charge sheet alleging that an amount of Rs.3500 remitted by a customer on 8-5-2004 was not accounted in the books of accounts of the bank and the money was misappropriated by him. The 2nd allegation is that he was in the habit of remaining absent unauthorisedly. The workman submitted reply to the charge sheet. An enquiry was conducted and he was found guilty of the first charge. Though he filed an appeal he did not succeed.

3. According to the workman the findings are not based on evidence on record. The management has not proved the allegations. Material witnesses were not examined by the management. The witnesses required by the defence were not summoned. One of the material documents which was only a photostat copy was accepted and marked by the Enquiry Officer. The Psychiatric problems of the workman was not given due consideration either by the Enquiry Officer or by the Disciplinary Authority. The workman has submitted application for voluntary retirement. That was not considered by the management. The workman is innocent and he is not guilty of the charges. The disciplinary authority did not hear him before findings of Enquiry Officer was accepted. The punishment imposed is disproportionate to the gravity of the offence.

4. According to the management the issue referred for adjudication is proportionality of punishment alone and hence the findings cannot be questioned. The misconduct alleged and proved is a gross misconduct and attracts the highest punishment under memorandum of settlement dated 10-03-2002. At any rate the punishment of compulsory retirement is a lenient punishment. The Disciplinary Authority had considered the entire evidence on record before confirming the findings of Enquiry Officer. The workman was not able to prove that the mental problem alleged by him had affected his duties at the relevant time. There is no reason to interfere with the disciplinary action taken by the management.

5. In the light of the above contentions, the following points arise for consideration.

1. Are the findings sustainable?
2. Is the punishment legal and proper?

6. The evidence consists of the oral testimony of MW1 and documentary evidence of Ext. M1 Enquiry File.

7. Point No. 1:—The workman was Cashier at the time of the incident in Sakthikulangara Branch of Central Bank of India. Ext. ME-12 is the charge sheet. Two charges were levelled against the workman. The first charge is regarding non accounting of Rs. 3500 handed over to the workman by one Ms. Valsala on 8-5-2004 for crediting it in the CC account of customer, M/s. Sakthi Stores and misappropriation of that amount by him. The 2nd charge is that he remained absent for 14 days from 2-6-2004 to 15-6-2004. The 2nd charge is found not proved by the Enquiry Officer.

8. Ext. DE6 is the reply to the charge sheet, thereby the workman denied the allegations and contended that his mental problems was also a reason for omission to account the money. Smt. Valsala who remitted Rs. 3500 came to know that money remitted by her was not accounted by the workman when she visited the bank again. Hence she made a complaint, Ext. ME2 to the Manager on 11-6-2004. This was 5 weeks after the remittance of the amount. Three days after the complaint on 14-6-2004 the currency of Rs. 3500 along with voucher was recovered from the cash counter by part time sweeper of the bank. The workman was on leave from 2-6-2004 to 16-4-2004. It is not known how the currency did not come to the notice of anyone so long for five weeks after the incident. The money and the voucher were seen kept in the pass book at the time of retrieval. Smt. Valsala got back the passbook from the Manager on 21-6-2004 after issuing a letter of acknowledgement (Ext. ME-11).

9. The workman was the receipt cashier on 8-5-2004 when the money was remitted by the customer. The counter foil of the pay-in-slip was filled up, signed and cash received seal was affixed by the workman. Ext. ME-3 is the counter foil of the pay-in-slip. It was handed over to the customer by the workman. MW1, the Manager gave evidence in the enquiry that Ext. ME-3 was filled up, signed and seal affixed by the workman. Ext. DE-4 is the pay-in-slip of counter foil Ext. ME-3. According to MW1 the handwriting in Ext. ME-3 and DE-4 is that of the workman. The amount was not accounted in the cash receipt register of 8-5-2004. It was the duty of the cashier to enter the amount received in the cash receipt register. Ext. ME-5 is the cash receipt register and it does not contain entry of the amount on 8-5-2004. Ext. ME-6 is the statement of account of the customer. It also does not reflect remittance of the amount in the account of the customer on 8-5-2004. After entering the amount in the cash receipt register the cashier had to forward the voucher for scrolling to the concerned officer. He did not do so. Ext. ME-4 is the scroll register print out which shows that the remittance was not scrolled. Thus in none of the books of accounts the amount remitted by the customer on 8-5-2004 is recorded, i.e. Ext. ME-4 to ME-6.

In the light of this evidence the Enquiry Officer found that the amount was received by the workman who was the receipt cashier on 8-5-2004. Since the amount was not recorded in the books of accounts it was found by the enquiry officer that the amount was misappropriated by the workman. No oral evidence on the defence side was adduced, but some documents were produced and they were marked as Ext. DE-1 to 19. The defence was not able to establish in the enquiry that the allegations are false and he is innocent. The documents produced by the defence did not help him to disprove the allegations. There can be no doubt that the amount was received by the workman on 8-5-2004. It was his duty to enter it in the cash receipt register and forward the voucher for the purpose of scrolling to the concerned officer. If there was omission he would have noticed it before the end of the day or at least on the next day. There was no possibility or probability for leaving the pass book with currency notes in the counter for a long period of 5 weeks without the notice of anyone in the bank.

10. The learned counsel appearing for the workman submitted that it was a heavy day and there were many remittances. Due to heavy rush he might have omitted to record it in the cash receipt register. Besides he was suffering from agitated depression (loss of memory) since 2003. This also contributed to the omission in the work. Ext. DE-7 is a certificate issued by a psychiatrist of Kollam on 20-8-2004. It shows that the workman was under treatment for agitated depression from 7-8-2003. Ext. DE-8 and 9 are prescriptions of the date 7-8-2003 and 4-11-2003. The medical certificate is of the date 20-8-2004, three months after the incident. Exts. DE-8 and 9 are only prescriptions of 2003. The workman was not able to show in the enquiry that any time prior to 20-8-2004 he had informed the bank about the mental problem. There is no case either for the workman or for the management that the psychiatric problem had affected the duties of the workman any time prior to the incident. It is not enough simply to produce a medical certificate and contend that he was affected by loss of memory and he was under treatment, but he has to substantiate and establish his mental state by examining the doctor and proving the possibility of omission in duties. There was no such attempt and the same is pointed out by the disciplinary authority.

11. The next contention of the union is that important witnesses like Smt. Valsala who remitted the money and the part time sweeper who found the money were not examined by the management. Has the management examined them the truth would have come out. The workman cannot dictate the names of witnesses to be examined on management side. It is for the management to decide. The Enquiry Officer has pointed out that the defence was allowed to summon and examine both the complainant and the part time sweeper. The Enquiry Officer

had given opportunity to the workman to examine the complainant as well as the part time sweeper on the defence side if workman desired so. Accordingly the defence representative had sent letter to Smt. Valsala on 12-11-2004 Exts. DE-10 to DE-12B are copy of the letter sent, postal receipts (copy) and copies of two envelopes returned undelivered with endorsement. The management cannot be blamed for not examining Smt. Valsala. If the defence was not able to procure the witnesses on defence side it is not the fault of the management. So also the Part time Sweeper could not be brought on defence side.

12. It was submitted that the recovery of money will prove that the money was not misappropriated by the workman. But so long as it was the duty of the workman to account for the money and for 5 weeks the money was not seen by anyone in the office, go against the contention of the workman that he had no involvement in the incident. The workman did not suggest that the money was planted by someone and made a farce of recovery.

13. It was then submitted by the learned counsel for the union that Ext. ME-11 is only a photostat copy and could not have been received in evidence by the Enquiry Officer. It is to be noted that Ext. ME-11 is only a letter of Smt. Valsala acknowledging receipt of passbook which was retained in the bank for the purpose of recording remittance and was given back on 21-06-2004. It is not a material piece of evidence in proving the allegations. Even if Ext. ME-11 is ignored that will affect the case of the management. Moreover the strict rule of evidence is not applicable to enquiry.

14. It was then contended that the findings of Enquiry Officer was accepted by the disciplinary authority without hearing the workman. This submission does not appear to be correct. The records show that on 30-03-2005 the workman submitted his written objection against findings of Enquiry Officer. He did so when copy of report of Enquiry Officer was forwarded to him by the disciplinary authority on 15-03-2005 inviting his objection. It is thereafter that the findings were confirmed and punishment was proposed and show-cause notice regarding proposed punishment was issued to the workman on 12-05-2005. The opening paragraph of the show-cause notice dated 25-04-2005 reveals that the findings of Enquiry Officer were accepted by the disciplinary authority only after receiving and considering submission of the workman on the findings. The reasons for accepting the findings are narrated in page 2 of the show-cause notice. Ext. M1 Enquiry file contains the reply of workman to the charge sheet, the show-cause memo dated 25-04-2005 and the final order imposing the punishment after hearing the workman regarding proposed punishment. Therefore that contention of the union also cannot stand.

15. The enquiry was conducted in full compliance with the principles of natural justice and in accordance

with the procedure. As long as the validity of enquiry is not challenged or is beyond challenge the scope for attacking the findings of Enquiry Officer, which is confirmed by the disciplinary authority, is limited. Unless the workman is able to show that there is absolutely no material at all on record to prove the allegations levelled against him he cannot succeed in assailing the findings. So far as the present case is concerned there is not only records to prove the allegations but more than enough records to substantiate the prosecution case. Hence I find that there is no infirmity in the findings.

16. Point No.2:— The punishment imposed is compulsory retirement with superannuation benefits and without disqualification from future employment as per Clause 6(c) of memorandum of settlement dated 10-04-2002. It was submitted by the learned counsel for the workman that the punishment of compulsory retirement is punitive in nature and cannot be imposed. The learned counsel tried to find support for his submission in the decisions of Hon'ble Supreme Court reported in AIR 2001 SC 1109 State of Gujarat v. Umedbhai M. Patel, (1996) 5 SCC 103 Sukhdeo v. Commissioner Amravati Division and AIR 1992 SC 1020 Baikuntha Nath Das v. Chief District Medical Officer, Baripada. These were cases in which punishment of compulsory retirement was imposed not in pursuance of domestic enquiry or adverse remarks entered in confidential reports of the employee but for extraneous reasons. Therefore it was held that punishment of compulsory retirement was imposed as a punitive measure and is liable to be set aside. But in the instant case a domestic enquiry was conducted giving full opportunity to defend, the findings of enquiry officer was subjected to careful scrutiny by Disciplinary Authority after inviting submissions of workman and was once again considered by the Appellate Authority. Therefore the decisions are not applicable in the instant case. The punishment imposed is as per the provisions of Bipartite Settlement. There is no illegality in the punishment. The charge proved being serious in nature, any of the punishments narrated in Clause-6 of the settlement could be imposed by the Disciplinary Authority. But a less severe punishment is actually imposed. Therefore there is no reason for this court to interfere with the punishment either.

In the result an award is passed finding that the action of the management in compulsorily retiring the workman from service is legal and justified and the workman is not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dicated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 8th day of June, 2010.

P.L. NORBERT, Presiding Officer

Appendix

Witness for the workman - Nil

Witness for the management

MW1 - Sachidananda Kumar K., Enquiry Officer.

Exhibit for the workman - Nil

Exhibit for the management

M1 - Enquiry File.

नई दिल्ली, 27 जुलाई, 2010

का. आ. 2075.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधकों के संघर्ष नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 29/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-07-2010 को प्राप्त हुआ था।

[सं. एल-20012/145/97-आई आर(सी-1)]

रीता सिंह, अनुभाग अधिकारी

New Delhi, the 27th July, 2010

S. O. 2075.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/2000) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 27-07-2010.

[No. I-20012/145/97-IR(C-1)]

RITA SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NO. 1, DHANBAD

PRESENT

Shri H.M. Singh,
Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

Reference No. 29 of 2000

PARTIES : Employers in relation to the management of Sendra Bansjora Colliery of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : Mr. D. Mukherjee,
Secretary, Bihar
Colliery Kamgar
Union.

On behalf of the employers : Mr. H. Nath,
Advocate.

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 12-7-2010

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their order No.L-20012/145/97-I.R. (C-I), dated, the 3rd April, 2000.

SCHEDULE

"KYA B.C.C.L. SENDRA BANSJORA COLLIERY KEY, PRAVANDHTANTRA DWARA SHRI SAMRU CHAMAR, JINHEY CHIKITSA BOARD DWARA SEVA HETU AYOGYYA PAYE JANEY PAR SEVA MUKT KAR DIYA GAYA THA, KEY ASHRIIT PUTRA KO NIYUKT NA KIYA JANA UCHIT EVAM NAYASANGATH HAIN? YADIN AHI TO KARMKAR TATHA VA UNKEY ASHRIIT KIS RAHAT KEY PATRA HAIN?"

2. The case of the workman as disclosed in his written statement is that Samru Chamar had been working as permanent Trammer at Sendra Bansjora Colliery since long with unblemished record of service. He had been suffering from Leprosy and he was unable to perform his original duty efficiently. Accordingly the management referred him for treatment in the year 1989 and there it was detected that he was suffering from Leprosy. The management instead of providing him light duty allowed the concerned workman six months medical leave without pay. After six months the concerned workman reported for his duty and he was allowed to resume his duty. After joining his duty the concerned workman found him unfit for the job and he was not in a position to perform his duty due to disease mentioned so the concerned workman represented before the management in writing to refer him to the Medical Board for determination of his medical disease.

3. It has been further stated by the workmanside that as the management did not take any cognizance of his representation, he again by a letter dated 11-6-91 requested the management to refer him to the Medical Board. However, that representation was forwarded by the Agent of the Colliery to the authority to refer the workman to Medical Board for determination his medical fitness. Unfortunately and surprisingly enough the management did not conduct any medical test so, the concerned workman again represented before the management to refer

him to Medical Board and accordingly the management by an order dated 11-9-92 directed the concerned workman to appear before the Medical Board on 21-9-92. The concerned workman though attended the place of medical examination but no medical test was conducted nor any Medical Board or Committee was constituted.

4. The management again issued a notice dated 14-3-93 wherein and whereby directed the concerned workman to appear before the Medical Board on 17-3-98 at Loyabad Central Hospital. The concerned workman appeared there before the Medical Board and the Medical Board declared the concerned workman unfit for the job and accordingly the concerned workman's service was terminated due to his medical unfitness. As per NCWA the dependent of an unfit employee is entitled for employment and accordingly the dependent of the concerned workman represented before the management for providing employment but without any effect. Thereafter an industrial dispute was raised on 16-2-95 which ended in failure due to the adamant attitude of the management. The Govt. of India without appreciating law rejected the dispute on the ground of filing the dispute before the A.I.C (C) after the lapse of two years at the instance of the management. Thereafter the union of the concerned workman challenged the illegal and unfortunate rejection order before the Hon'ble High Court, Patna, Ranchi Bench which was registered as CWJC No. 2245/98 (R) and the Hon'ble High Court by its order dated 22-9-99 directed the Government to refer the dispute for adjudication. However, as per order of the Hon'ble High Court present reference was made by the Govt. of India. In view of the facts it has been prayed on behalf of the concerned workman to pass an Award in favour of the workman directing the management to provide employment to the dependent of Samru Chamar and the intervening period i.e. the date of declaration of unfitness and stoppage till the date of providing dependent's employment full wages and attendant benefits be paid.

5. In the written statement filed on behalf of the management it has been stated by them that the present reference is not maintainable both in law and facts of the case. It has been stated further that Sri Samru Chamar, the concerned workman was working as a Trammer at Sendra Bansjora Colliery. He was not declared unfit by the Apex Medical Board and he was retired from his service after attaining the age of 60 years with effect from 1-7-93. As he retired after completing the age of 60 years, no question of employment to any dependent of his arises and such a demand is not maintainable. Thereafter an industrial dispute was raised by the Secretary, Bihar Colliery Kamgar Union which resulted reference to this Tribunal for adjudication. It has been prayed on behalf of the management to pass an Award rejecting the claim of the concerned workman.

6. Both the parties have filed their respective rejoinder admitting and denying the contents of some of the paras of each other's Written Statement.

7. Management side in order to substantiate their claim have examined Rakesh Ranjan as MW-1. Documents on their behalf have been marked as Ext.M-1 to M-6. No witness has been examined on behalf of the workman. However, on his behalf documents have been marked as Ext.W-1 to W-4.

8. Main argument advanced on behalf of the management is that the concerned workman retired after attaining the age of 60 years on 1-7-1993. When the concerned workman retired on attaining the age of 60 years of age, no question of providing employment to his dependent arises though in NCWA which is a settlement there is provision that if any workman during the period of service is found to be medically unfit then in that event employment is provided to one of his dependent. It shows that the concerned workman retired on the ground of superannuation though he was medically unfit his dependent was not given employment. No settlement has been filed to show that a person on superannuation is entitled for employment of his dependent though he was medically unfit. The workmanside has referred to a decision reported in 2007 (115)FLR 427 in which Hon'ble Supreme Court laid down the following:—

“Industrial Disputes Act, 1947-Section 18(3)—Settlement—Known as National Coal Wage Agreement (N.C.W.A.) V—Providing for appointment of dependents of deceased employees working in coal mines—Appellant, in terms of said settlement applied for appointment on compassionate ground on the death of his father, a coal mine worker—who died in harness—Appellant's application in the first instance turned down on the ground that he was a minor—Held, turning down again of the appellant's application, moved after he attained majority, on ground of same being beyond six month's period of limitation—Not legally justified -- Said period of limitation mentioned in circular dated 12-12-1995 was not statutory—As same was not part of the original settlement—impugned judgement and order of the High Court not sustainable—And set aside as such—Respondent directed to offer appointment to the appellant on a suitable post within 8 weeks—Appeal allowed with costs throughout. (Paras 2, 6, 10, 11, 15, 16, 17 and 20)”

Workman side also referred to another decision reported in 11.L.J. 127 in which Hon'ble Supreme Court laid down the following:—

“Industrial Disputes Act—1947 -Ss.2(00), 2(ra), 2A, 25B, 25F, Schedule V Item No.10—Name of employee who is provided with work whenever available.—Struck off from the list of Tikka Mazdoor- Refusal to provide work—No written orders of termination on the specious plea that he was disqualified for the post being a Matriculate, based on confidential

circular- Action of the management amounts to retrenchment and the same is in violation of the mandatory provisions- The disputes comes squarely within S.2 (A) of the I.D. Act- Deliberate refusal to engage the employee continuously amounts to unfair labour practice.”

Considering facts, circumstances, evidence, materials on record and citation of case laws I have failed to find out any merit in the claim of the concerned workman. Accordingly the following Award is rendered:—

“The action of the management of Sendra Bansjora Colliery of M/s. B.C.C. Ltd. in not providing employment to the dependent son of Sri Samru Chamar whose service was terminated on the ground of medical unfitness declared by Medical Board is legal and justified. Consequently the concerned workman or his dependent is not entitled to get any relief.”

H.M. SINGH, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का. आ. 2076.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 210/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-07-2010 को प्राप्त हुआ था।

[सं. एल-20012/9/2000-आई आर(सी-1)]

रीता सिंह, अनुभाग अधिकारी

New Delhi, the 27th July, 2010

S. O. 2076.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 210/2000) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 27-07-2010.

[No. L-20012/9/2000-IR(C-1)]

RITA SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, AT DHANBAD PRESENT

Shri H.M. SINGH, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

Reference No. 210 of 2000

PARTIES : Employers in relation to the management of Tetulmari Colliery of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : None

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 14th July, 2010

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their order No.L-20012/9/2000-I.R. (C-1), dated, the 24th July, 2000.

SCHEDULE

"Whether the action of the management of Tetulmari Colliery of M/s. B.C.C.L. in dismissing the services of Sri Om Prakash Bouri, W/Loader, P.No. 02262111 w.e.f. 1-2-96 is justified? If not, to what relief the concerned workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. None also appeared on behalf of the management. It appears from the record that the instant reference is pending since July, 2000 and since then none of the parties turned up before this Tribunal to take steps in the matter of hearing of the case. Under such circumstances, a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

H.M. SINGH, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का. आ. 2077.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स टिस्को के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 192/89) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-07-2010 को प्राप्त हुआ था।

[सं. एल-20012/79/89-आई आर(सी-1)]

रीता सिंह, अनुभाग अधिकारी

New Delhi, the 27th July, 2010

S. O. 2077.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref No. 192/89) of the Central Government Industrial Tribunal-cum-Labour Court-I, Dhanbad as shown in the Annexure in the industrial dispute between the employees in relation to the management of M/s. TISCO and their workman, which was received by the Central Government on 27-07-2010.

[No. 1-20012/79/89-IR(C-1)]

RIITA SINGH, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL
TRIBUNAL NO. I AT DHANBAD**

In the matter of a reference Under Section 10(1)(d) of the I.D. Act.,

Reference No. 192 of 1989

PARTIES : Employers in relation to the management of Malkera Colliery of M.s. Tata Iron & Steel Co. Ltd. and their workman.

AND

Their Workmen,

PRESENT : Shri H.M. Singh, Presiding Officer

APPEARANCES:

For the Employers : None

For the Workman : None

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 15-7-2010

AWARD

By Order No. L-20012/79/89-IR(Coal-I) dated 27-11-1989 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Malkera Colliery of M/s. Tata Iron & Steel Company Ltd., Post Malkera, Dist. Dhanbad in dismissing Shri Bihari Kumar, Miner from service of the company with effect from 1-10-83 is justified? If not, to what relief is the workman entitled?"

2. Written statement has been filed on behalf of the concerned workman stating that the concerned workman was appointed as permanent miner/loader. As soon as the management came to know the membership of the concerned workman, the management immediately issued a false and motivated chargesheet dated 2/3-6-83. The concerned workman denied the charges emphatically. The biased and prejudiced management dismissed the

concerned workman after completing empty formalities. Even in the invalid and irregular enquiry the charges against the concerned workman was not established. He was dismissed by an unauthorised person. The concerned workman represented before the management against illegal and arbitrary dismissal order but without any effect. Seeing no other alternative the union raised an industrial dispute before the ALC (C), Dhanbad, but the same ended in failure. thereafter the dispute has been referred to this Hon'ble Tribunal for adjudication. It has been stated that the action of the management in dismissing the concerned workman from service was illegal, arbitrary, unjustified and against the principle of natural justice.

It has been prayed that the Hon'ble Tribunal be pleased to answer the reference in favour of the workman by awarding reinstatement with full back wages.

3. Written statement has been filed by the management stating that the concerned workman, Bihari Kumar entered into service of the company in the year 1979 as a temporary miner in Malkera Colliery falsely declaring himself as son-in-law of Nanka Kumar, Mechanical Fitter Helper. His false declaration was detected in the year 1983. After receiving confidential information that the concerned workman was not the son-in-law of Nanka Kumar and had got his name enrolled in the E.D. Register falsely declaring himself as son-in-law of Nanka Kumar and procuring a false certification of Mukhiya, Sri G.K. Jha, the then Group Personnel Officer of Sijua Group enquired into the matter. Thereafter he was issued a charge sheet No. 34/83 dated 2-6-83 was issued to the concerned workman by fraudulent means. He was charged under clause 19(2) of the certified standing orders for commission of misconduct of "fraud and dishonesty in connection with company's property and business". The departmental enquiry was conducted by Shri S.N. Pandey on 12-9-83 in the peresence of the concerned workman. Sri G. K. Jha, the management's representative examined himself as management's witness and gave his statement and produced the relevant documents and proved the same. He was given full opportunity to cross-examine the management's witness. He was given full opportunity to give his own statement and to produce his defence witness. He did not raise any objection against the procedure of enquiry or against the Enquiry Officer. The enquiry was held fairly and properly in accordance with the principles of natural justice. The Enquiry Officer submitted his enquiry report dated 16-9-83 to the Manager of the colliery. On the basis of enquiry report, the concerned workman was dismissed from service with effect from 1-10-83. The concerned workman raised an industrial dispute before ALC (C). The above dispute was closed as there was no merit in the case. Thereafter, the present dispute has been referred to this Tribunal for adjudication. It has been submitted that the action of the management in dismissing the

concerned workman from his service is legal, bonafide and in accordance with the provisions of the certified standing orders.

It has been prayed that the Hon'ble Tribunal be pleased to pass the award holding that the action of the management is justified and the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The management has produced MW-1, Sachidanand Pandey, who has proved documents, Exts. M-1 to M-8.

The concerned workman has neither produced any witness nor filed any documents.

6. No argument advanced on behalf of either side. I perused the record. The management's witness stated that the concerned workman got employment fraudulently by falsely declaring himself as son-in-law of Nanka Kumar and obtained a false certificate from Mukhiya. Charge sheet was issued to him for making false declaration and securing employment by fraudulent means. He was charged under clause 19(2) of the certified standing orders. The departmental enquiry was conducted by Sri S.N. Pandey on 12-9-93 in presence of the concerned workman. Sri G.K. Jha, management's representative examined himself as management's witness and gave his statement and produced the relevant documents and proved the same. He was given full opportunity to cross-examine the management's witness. He was also given full opportunity to give his own statement and to produce his defence witness. He gave his own statement and did not produce any defence witness. He did not raise any objection against the procedure of the enquiry or against the Enquiry Officer. Enquiry proceedings have been proved by the management's witness. Ext. M-1 is charge sheet, Ext. M-2 is the reply of the concerned workman to the charge sheet, Ext. M-3 is appointment of the Enquiry Officer, Ext. M-4 is the notice of enquiry, Ext. M-5 is enquiry proceeding. Enquiry was had been submitted by the Enquiry Officer as per Ext. M-6. No dismissal order was passed as per Ext. M-7. The concerned workman got employment by fraudulent means, so he has got no right to serve with the management.

7. Accordingly, I render the following award—

The action of the management of Malkera Colliery of M/s. Tata Iron & Steel Company Ltd., Post Malkera, Distt. Dhanbad in dismissing Shri Bihari Kumar, Miner from service of the company w.e.f. 1-10-83 is justified and hence the concerned workman is not entitled to any relief.

H.M. SINGH, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

क्र.अ. 2078.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 17) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ इंडिया देहरादून के प्रबंधन के संयुक्त नियोजकों और उनके कर्मकारों के बीच अक्षय में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण 1, नई दिल्ली के पंचाट (संदर्भ संख्या 30/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल-12011/79/2008-आईआर(बी-1)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2078.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. I. D. No. 30/2009) of the Central Government Industrial Tribunal/ Labour Court, No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the management of State Bank of India, Dehradun and their workmen, which was received by the Central Government on 27-7-2010.

[No. L-12011/79/2008-IR (B-I)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1 KARKARDOOMA COURT
COMPLEX, DELHI

I.D. NO 30/2009

Shri Prem Singh,

Through: The General Secretary,

Trade Union Council, INTUC.

B-2/16, Ashiyana Colony,

Vivekanand Hospital, Kanth Road,

Moradabad (U. P.)

... Workman

Versus

The Deputy General Manager,

State Bank of India, Zonal Office,

1, New Cantt. Road,

Dehradun,

Regional Manager,

State Bank of India,

Region- IV, Hotel Sikhar,

Almora

... Management

AWARD

Prem Singh was appointed as Assistant Cashier-cum-Clerk in Bhojpur Branch of State Bank of India on 22nd of Decr. 1981. In 1988 he was transferred to Nagina Branch of the bank. He was again transferred to Boodenpur (Bijnor) branch of the bank in 1995. He was placed under suspension on 4-8-97. A departmental enquiry was

conducted against him, since he had perpetrated a fraud at the aforesaid branch of the bank. He was found guilty of the charges and compulsorily retired on 16th of January, 2003, while his suspension was treated as not spent on duty. He raised a claim for sanctioning pension in his favour, which was declined. He raised a dispute before the Conciliation Officer. Since conciliation proceeding failed, the appropriate Government referred the dispute to this Tribunal vide Order No. L-12011/79/2008-IR (B-I) dated 1-7-2009, with following terms:

“Whether the action of the management of State Bank of India in not sanctioning pensionary benefits to the concerned workman Shri Prem Singh, Asstt. Cashier-cum-Clerk retired compulsorily from service w.e.f. 16-1-2003, is legal and justified? If yes, to what relief is entitled to and from which date?”

2. Claim statement was filed by the workman, pleading therein that he was employed with the management bank as Assistant Cashier-cum-Clerk on 22-12-81. He was transferred to Nagina Branch and thereafter to Boodenpur (Bijnor) branch of the bank in 1995. He was lastly transferred to Dwar Hatt, Almora branch of the bank in 1997. He was suspended in 1997. By initiating ex parte proceedings against him, he was compulsorily retired vide order dated 16-1-2003. Though the bank had made payment of his dues upto 2003, yet his pension benefits were not released. He presents that his period of suspension may be treated as spent on duty and bank may be directed to sanction pensionary benefits in his favour.

3. Contest was given to his claim by the management pleading that since workman committed a fraud in the bank, he was placed under suspension on 4-8-97. Charge sheet was served upon him on 22-11-97. Departmental enquiry was conducted and charges stood proved against him. Enquiry Officer submitted his report dated 29-1-2001 and Disciplinary Authority found him guilty of gross misconduct. Vide order dated 16-1-2001 he inflicted punishment of compulsory retirement on the workman and the period of his suspension from 4-8-79 to 16-1-2003 was treated as not spent on duty. As per the provisions of State Bank of India, Employees Pension Fund Rules (hereinafter referred to as the Rules) suspension period from 4-8-97 to 16-1-2003 cannot be counted as pensionable service. An employee has to complete 20 years of qualifying service for release of pension in his favour. Since the workman has rendered only 15 years 8 months and 13 days service, pensions could not be released in his favour. Claim projected by the workman is not in consonance with the Rules. He is not entitled to any benefit towards pension.

4. Order dated 16-1-2003 was not disputed by the workman. Hence the same is exhibited as Ex. M-1. The Rules were filed by the bank, which were also not disputed by the workman. Hence same were exhibited as Ex. M-2. Workman as well as the Management opted not to lead

any evidence over the matter. Therefore, evidence of the parties was closed.

5. Arguments were heard at the bar. Workman assisted by Shri S. K. Sharma, his A/R, raised submission in the matter. Shri Rajat Arora A/R raised submissions on behalf of the Management. I have given my careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on the issues involved in the controversy are as follows :

6. Ex. M-1 announces that Prem Singh, Assistant Cashier-cum-Clerk, under suspension was ordered to be compulsorily retired and his period of suspension was not to count for any wages, increment, seniority and bonus etc., except the subsistence allowance already paid to him. Consequently it is evident that the Disciplinary Authority ordered for compulsory retirement of the workman w.e.f. 16-1-2003, with directions that his period of suspension from 4-8-97 till 16-1-2003 will not earn him any wages, increment, seniority, bonus etc. Consequently it is evident that the said period was not treated as spent on duty.

7. Admittedly workman joined services of the bank on 22-12-81. He was compulsorily retired on 16-1-2003. Period of suspension w.e.f. 4-8-97 till 16-1-2003 was not treated as spent on duty. Therefore, the workman performed qualifying service for 15 years, 8 months and 13 days only.

8. The Rules contemplates that an employee shall be eligible for pension after having completed 20 years pensionary service provided that he has attained the age of 50 years. As detailed workman has not completed 20 years qualifying service. In case he is on service in the bank on or after 1-11-93, he is entitled for pension on completion of 15 years qualifying service provided that he has attained the age of 58 years. In the other eventuality if the employee is in the service in the bank on or after 22-5-98, he would be eligible for pension on completion of 10 years service provided he has attained the age of 60 years. It is not the case of the workman that he had attained the age of 60 years and rendered 10 years qualifying service to get pensionary benefits. Under these circumstances workman has not been able to show that he has rendered qualifying service to earn pensionary benefits. Consequently no illegality or unjustifiability in the action of the management, in not sanctioning pensionary benefits to the workman, was brought over the record. Therefore, the action of the management is found to be legal and justified.

9. In the dispute under reference the Tribunal is not competent to go behind the order dated 16-1-2003. It cannot enquire into about legality and justifiability of the order, on the strength of which he was compulsorily retired and his period of suspension was treated as not spent on duty. Consequently the Tribunal has to assess the action of the management on the basis of the Rules Ex.M-2 which

provides for sanction of pensionary benefits to the workman on rendering 20 years qualifying service. He has not rendered 20 years qualifying service to earn pension. Since he had not reached 60 years of age, hence he cannot get pension on rendering 10 years qualifying service. Consequently he is not entitled to any relief. Reference is answered accordingly and an Award is, hereby, accordingly passed. It be sent to the appropriate Government for publication.

Dated: 13-8-09

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2079.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई. डी. नं. 129/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/62/99-आईआर(बी-1)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2079.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I. D. No. 129/99) as shown in the Annexure in the industrial dispute between the management of State Bank of Patiala, and their workmen, received by the Central Government on 27-7-2010.

[No. L-12012/62/99-IR (B-I)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI GYANENDRAKUMAR SHARMA,
PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, -I
CHANDIGARH

Case I. D. No. 129/99

Shri. R. K. Bali, House No. 6-CC Nangal Township. Distt. Ropar (Punjab) - 140124

... Applicant

Versus

The Assistant General Manager (Opp.) State Bank of Patiala, Head Office, The Mall, Patiala - 147001

... Respondent

APPEARANCES

For the Workman : Shri Arun Batra

For the Management : Shri N. K. Zakhmi

AWARD

Passed on:- 19-7-10

Government of India vide notification No. L-12012/62/99-IR (B-1), Dated 12-5-1999 by exercising its power under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether the action of the management of State Bank of Patiala in terminating the services of Shri R. K. Bali is legal and justified? If not, to what relief the concerned workman is entitled and from which date?”

After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that the workman, who was charge sheeted vide banks letter no. 20481, dated 20-1-1996 for illegally withdrawal of amount from different accounts under forged signatures, admitted the charges before the enquiry officer. On the basis of the admission the enquiry officer submitted his enquiry report holding the charges well proved. The disciplinary authority after affording him the opportunity of being heard awarded the punishment and terminated his services.

Both of the parties have made the different contentions. The contention of the workman is that he admitted the charges under the assurance of the disciplinary authority to award the minor punishment. On the other hands, the contention of the management is that there was no assurance and the workman has voluntarily without any force or coercion admitted the charges.

Initially, this Tribunal heard the parties on the fairness of enquiry. The workman challenged the nature of the admission. Considering the fact that enquiry report is based on the admission of the workman, this Tribunal directed both of the parties to adduce the evidence on all the issues including the issue of fairness of enquiry and nature of admission. Accordingly evidence was recorded.

In his evidence, the workman has stated that before 9-7-1996, the day on which he admitted the charges he has denied all the charges on several occasions. Thereafter, he admitted the charges on three occasions namely before enquiry officer, disciplinary authority and the appellate authority. He makes a request to enquiry officer for appointing a legal practitioner which was referred by the enquiry officer to the disciplinary authority as per the rules and proceedings were adjourned. The disciplinary authority rejected the request of the workman to appoint a legal practitioner during the departmental proceedings. This decision was conveyed to the workman on 9-7-1996 by the enquiry officer and on the same by the workman admitted the charges. It is the contention and the workman that he admitted the charges on assurance of the disciplinary authority for lighter punishment. But his services were terminated in violation of the assurance. The workman has

further stated that apart from this oral contention regarding the oral assurance, he has no other evidence to adduce before this Tribunal.

Parties were heard at length. The workman was charge sheeted for withdrawing the amount from 57 saving bank accounts belonging to different persons on different dates. On 9-7-1996 he is not only admitted the charges orally but also moved a letter containing the reasons of admission. He has categorically mentioned the circumstances under which he has withdrawn the amount. Thus the fact of withdrawing the amount is well proved. No doubt this letter was given to the disciplinary authority by the workman but he has not uttered a single sentence before the enquiry officer about the circumstances under which he moved this admission letter. The oral contention of the workman before this Tribunal on oath also reveals that he has not informed the enquiry officer about the assurance given by the disciplinary authority. Meaning thereby, the enquiry officer has acted fairly and reasonably on the admission of the workman and there is no perversity in decision making of the enquiry officer as well. The workman has further failed to prove any circumstances before this Tribunal regarding the assurance of the disciplinary authority.

It is well settled law of service jurisprudence that admission is a good piece of evidence and the report based on the admission is as good as given after conducting the departmental enquiry. Thus, the fate of the enquiry report cannot be judged and the same cannot be quashed only on the ground that it solely based on the admission of the workman. If the admission is freely without any coercion or without any pressure is recorded, there is no occasion for the workman to challenge its genuineness later on. The enquiry officer, as revealed from the proceedings of the enquiry, has given all possible opportunity of being heard. The workman has not admitted the charges on three dates. He was given opportunity for engaging the defence representative. As per the evidence rerecorded by this Tribunal no defence representative was available to the workman on account of the nature of the misconduct. The disciplinary authority has right to refuse the assistance of the legal practitioner as it is not mentioned in rules. Thus, the workman has failed to prove that he admitted the charges on assurance or under pressure. The enquiry report and the punishment thereafter, based on the enquiry report cannot be quashed just on the oral contention of the workman before this Tribunal about the genuineness of admission.

On the basis of the above, I am of the view that workman was rightly punished and the punishment awarded to him was proportionate to the committed misconduct. Accordingly, the reference is answered. Let Central Government be informed for publication of award and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2080.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ हैदराबाद के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या एलसीआईडी 69/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2010 को प्राप्त हुआ था।

[सं. एल-12014/2/2010-आईआर(बी-1)]

जोहन तोपनो, अव्वर सचिव

New Delhi, the 27th July, 2010

S.O. 2080.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (LCID No. 69/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the management of State Bank of Hyderabad and their workmen, which was received by the Central Government on 28-7-2010.

[No. L-12014/2/2010-IR (B-1)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

PRESENT: Shri VED PRAKASH GAUR,
Presiding Officer

Dated the 1st day of May, 2009

Industrial Dispute L. C. I. D. No. 69/2005**BETWEEN**

Sri Bhuraram,
S/o Babaram,
C/o A. P. Industrial Employees Union,
“House of Labour”, King Kothi Road,
Hyderabad -29

.... Petitioner

AND

1. The Dy General Manager,
Personal Department,
State Bank of Hyderabad,
Gunfoundry Head Office,
Hyderabad.

2. The Branch Manager,
State Bank of Hyderabad,
Bellavista Branch,
Somajiguda Branch,
Hyderabad.

....Respondents

APPEARANCES

For the Petitioner : M/s. N. Meenakshi, C. Lavanya &
G. Sailaja, Advocates

For the Respondents : Sri Ch. Siva Reddy, Advocate

AWARD

This is a petition filed under Sec.2 A (2) of the I. D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others by Sri K. Santhosh Kumar challenging the illegality and validity of the order passed by the Respondent dated 6-6-2005 thereby the services were orally terminated by the Respondent.

2. It has been stated by the Petitioner that he was appointed by the Respondent as casual labour in May, 2001 and was posted under 2nd Respondent where the Petitioner worked for more than 240 days continuously without any break in that year on a wage of Rs. 50 per day. The Petitioner has worked in that capacity for more than 14 years but he was not made regular. When the Petitioner insisted for regularization and asked for the correct payment of wages then the services of the Petitioner were terminated on 6-6-2005 without any written order or following the due procedure. Before that the Petitioner made a representation dated 19-5-2005 to regularize his services and pay arrears of wages as per the wages paid to the casual labourer of Kakatiyanagar branch who raised ID No. 35/2001 which was decided on 24-9-2002 and the casual labour of the Kakatiyanagar branch were given wages as per rules and they were also paid arrears of the wages. The Petitioner moved a petition to follow the procedure of 1/3rd pay after two years one half of pay after another two years and 3/4th pay after another two years. The Petitioner further served a reminder on 31-5-2005 but no action was taken by the Respondent management. The action of the management in orally terminating the services of the Petitioner is illegal and against the principles of Industrial Disputes Act, 1947. The Hon'ble High Court of A.P. in WP No. 15555/93 directed the Respondent to consider the cases of the Petitioners of that case. Another WP No. 18436/2004 decided on 11-10-2004, the Hon'ble High Court of A.P., directed the Respondent to pass appropriate order on the observations of the regular employees. But the Respondent has not obeyed that order also. Hence, this petition.

3. The Respondent management has filed counter statement. They have challenged the maintainability of the claim petition. The Respondent has submitted that the Petitioner has not worked for more than 240 days. He was not on the rolls of the bank as such, the question of termination of the services did not arise, the allegation to this effect is baseless and misconceived. The bank has never engaged Petitioner in their employment nor the

vacancies were notified, the petitioner was engaged for casual work when his services were required by the bank. He was never employed as regular or a full day worker. He is not entitled for the benefit U/s Sec. 25F of the Industrial Disputes Act, 1947, because he was engaged to work as and when the bank required services of the Petitioner he was employed for that date only. The Petitioner has no force and deserves to be rejected or dismissed. The Petitioner cannot claim any advantage from the order passed in WP No. 15555/93 or WP No. 18436/2004 because the Petitioner was not a party to this petition.

4. Parties were directed to produce their respective evidence. Petitioner filed his affidavit as examination in chief and presented himself for cross examination. He has filed documents marked as Ex.W1 to W7. Respondent bank filed affidavit of Mr. Ch. Surender Raju as MW1, as examination in chief and presented him for cross examination. Respondent has also filed xerox copy of the award dated 24-9-2004 passed in ID No. 35/2001. Copy of the order of Hon'ble High Court of A.P. passed in WP No. 15555/93 between Vishnu Kumar and K. Raju Vs. M.D., State Bank of Hyderabad. Letter of the Personnel Department No. PER. GR. VI/7777 dated 28-3-2005 to Sri N. Rama Krishna and another letter addressed to Sri V. S. Krishna Chary, another letter to Sri K. Vijaya Kumar informing them that the bank is not in a position to absorb them in the bank's services.

5. I have heard Counsels for both the parties and have perused the relevant claim and counter statement of the parties, documentary and oral evidences filed by them. It has been argued by the Learned Counsel for the Petitioner that the Petitioner has challenged the oral order of termination without following the procedure laid down U/s 25 F of the Industrial Disputes Act, 1947 because the Petitioner has already put in more than 240 days of service under the management and control of the Respondent Nos.1 and 2. Thus, non-observance of the provision of Sec. 25F in this case is fatal and it cut the very root of the termination order, because the compensation U/s 25F of the Industrial Disputes Act, 1947 has not been paid in this case. As against this argument of the Learned Counsel for the Petitioner, the Learned Counsel for the Respondent has argued that the Petitioner of this case has not been able to show and prove that he has worked for more than 240 days in the year preceding the alleged date of termination of his services, because the Petitioner has not produced any appointment letter to show as to when he was appointed in the bank's services. The Learned Counsel for Respondent has cited the statement of the Petitioner dated 1-3-2006 wherein during cross examination the Petitioner has admitted that he was not given any appointment order. The Respondent's counsel has further cited the oral statement of the Petitioner dated 1-3-2006 wherein the Petitioner has stated that he was not assured in the writing for regularization. The Petitioner has stated

that he worked on the extension counter of the Respondent bank at RTI office. The Petitioner has stated that Respondent bank has not recruited anybody as temporary employee for the last five years. A suggestion has been given to the Petitioner by the Respondent that he has not worked for more than 240 days in a year, though the Petitioner has denied the suggestion but the Petitioner has on his own has not filed any documentary or other reliable evidence which may prove that the Petitioner has worked for more than 240 days in the year preceding date of his termination. Learned Counsel for the Respondent has argued that it is the duty of the Petitioner before the Industrial Tribunal to prove that he has worked for more than 240 days in the year preceding the date of termination of the services then, only the Petitioner shall be entitled for the benefit of Sec.25F of the Industrial Disputes Act, 1947. The Petitioner of this case has not been able to prove that he has worked for more than 240 days preceding the date of his termination as such, the provisions of Sec.25F of the Industrial Disputes Act, 1947 is not applicable in the present case and non-observance of the procedure of Sec. 25F of the Industrial Disputes Act, 1947 does not make the order of disengagement illegal.

6. However, the Petitioner has filed Ex.W1 letter dated 11-3-89 for absorption of three employees which is not concerned with this present petition. Ex.W2 is dated 29-12-99 regarding Absorption of temporary employees on consolidate wage. Ex.W2 is the letter dated 1-7-2002 proposal-cum-application for appointment forwarded to Head Office, by the Respondent No. 2 for the Petitioner. On the basis of this document, the Petitioner's counsel has argued that the Petitioner has worked from 2002 to 2005 regularly and he has completed 240 days. Respondent's counsel argued that the Petitioner has been engaged on those dates when there is work available with the Respondent. There is no document to prove that the Petitioner has continuously worked for more than one day at one stretch of a time, this proves the contention of the Respondent that the Petitioner was engaged only when there was work available with the Respondent and thus the nature of engagement of the Petitioner was for a single day. He was engaged at the beginning of the date and his services were disengaged on the close of the day. Thus there is no proof or evocation of evidence to substantiate the contention of the Petitioner that he was continuously working for 240 days or even for single week.

7. Learned Counsel for the Respondent has further argued that the Petitioner has no right to claim regularization or absorption in the services because he was never appointed as a regular casual labour or daily wage worker. Since the Petitioner was not engaged on the regular basis he cannot claim benefit of absorption or regularization. The services of Petitioner were on the day-to-day basis, thus, he has no legal right to claim regularization or claim the benefit of Industrial Disputes Act, 1947.

8. I have considered the above argument of the Learned Counsels for the parties and have also gone through the documents cited above and the statement of the Petitioner. In his statement the Petitioner has nowhere stated that he has continuously worked for more than 240 days. He himself has admitted that no appointment letter was given to him and within last five years no person has been employed by the Respondent bank as temporary employee. This statement was recorded on 1-3-2006 from the own admission of the Petitioner it is proved that since 2001 onwards nobody was employed by the Respondent bank or recruited by the Respondent bank. Hence, the contention of the Petitioner that he is working since 2001 or beyond 2001 is misconceived based on no evidence and not fit to be believed by this tribunal. It is undisputed that the Petitioner has been engaged when the Respondent bank has work to be done on a particular date, thereby the Petitioner was engaged for a day's work as and when required by the Respondent management. The Petitioner was never appointed or recruited as a regular employee of the bank, his services were disengaged on the close of the day as such, he cannot claim the benefit of Sec. 25F of the Industrial Disputes Act, 1947 and Respondent bank has not committed any illegality in not following the provisions of Sec. 25F of the Industrial Disputes Act, 1947. Since the Petitioner was engaged for a day's work after the close of the day Petitioner did not remain the employee of the bank, therefore, he has not completed more than 240 days in the year preceding the date of his disengagement from the employment. There was no need to follow the procedure of Sec. 25F, Petitioner's disengagement is neither illegal nor it is in violation of the principles of Industrial Disputes Act, 1947 and no interference can be done in the action of the management. The Learned Counsel for the Respondent has cited case of Hon'ble Supreme Court of India reported in 2008 (10) pages 1 Official Liquidator Vs. Dayanand and others wherein the Hon'ble Supreme Court of India has quashed the appointment of a company paid staff because they have not come through the proper channel and by their absorption in the service, meritorious person were not given opportunity or could not avail the opportunity to compete for the best. He has further cited the case law reported in 2006 (1) Decisions Today (SC) page 493 of the Hon'ble Supreme Court of India in the matter between the Secretary, State of Karnataka & Others Vs. Umadevi & Others, wherein the Hon'ble Supreme Court of India has held that the public employment should be made in accordance with the rule—Temporary employees or daily worker or contractual workers have no enforceable legal right to be permanently absorbed into service.

9. On the basis of above two case laws of Hon'ble Supreme Court of India, the Learned Counsel for the Respondent has submitted before this court that if this tribunal comes to a conclusion that the Petitioner was

daily rate worker, even though in the light of the judgment of Umadevi, daily wage worker have no enforceable legal right to claim for absorption. More so, in this case, the Petitioner has not been able to prove that he was a regular daily wage worker. But from the evidence available on the record it is clear that the Petitioner was engaged by the Respondent management for only those days when there was work available with the management. Thus, the nature of employment of the Petitioner was that of a purely daily rate worker, whose employment was terminated at the end of the day and thus he was not entitled to claim even daily wage work from the Respondent management. Thus, this disengagement of the petitioner, who was not appointed following rules of appointment is not fit to be governed by the principles of Industrial Disputes Act, 1947. This disengagement cannot be questioned before this tribunal because Petitioner was not a workman within the meaning of the Industrial Disputes Act, 1947.

10. I have considered the above argument and I have also come to the conclusion that from the evidence on record it is proved that Petitioner was engaged for the day's work and his services or engagement were terminated by the end of the day. As such, the Petitioner cannot claim regularization on the basis of such casual engagement. The action of the management in disengaging the services of the Petitioner is neither illegal nor against the principles of Industrial Disputes Act. It cannot be questioned before this tribunal, the Petitioner has not been able to prove his case for declaring the action of the management as illegal or arbitrary and Petitioner is not entitled for any relief.

Award Passed accordingly. Transmit.

Dictated to Smt P. Phani Gowri, Personal Assistant transcribed by her, corrected by me on this the 1st day of May, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witness examined for the Petitioner

WW1: Sri Bhuraram

Witness examined for the Respondent

MW1: Sri Ch. Surender Raju

Documents marked for the Petitioner

Ex.W 1: Copy of Ir. No.PER/GR. VI/F.22/2279 from the Personnel Manager, Admn. to the Regional, Manager, for permanent absorption under ID Act dt. 11-3-1989

Ex.W 2: Copy of Ir. Dt. 29-12-99 reg. Absorption of temporary employees on consolidate wage

- Ex.W 3: Copy of Circular for payment of bonus dt. 5-6-2002
- Ex.W 4: Copy of proposal for appointment forwarded to Head Office by the Respondent No.2 dt. 1-7-2002
- Ex.W 5: Copy of Ir. of Personnel department to all the branch managers etc. directing to terminate immediately dt. 3-6-2005
- Ex.W 6: Copy of reply to WWL' Union President on representation made by the union dt. 2-7-2005
- Ex.W 7: Copy of Petty cash vouchers

Documents marked for the Respondent

- Ex.M 1: Copy of award of CGIT cum-Labour Court, Hyderabad dt. 24-9-2002
- Ex.M 2: Copy of order in WP No. 15555/1993 dt. 28-3-97
- Ex.M 3: Copy of order in WP No. 18436/2004 dt. 11-10-2004
- Ex.M 4: Copy of Ir. of State Bank of Hyderabad head office to Sri N. Rama Krishna dt. 28-3-2005
- Ex.M 5: Copy of Lr. of State Bank of Hyderabad to Sri V. S. Krishnachary dt. 28-3-2005
- Ex.M 6: Copy of Lr. of State Bank of Hyderabad to Sri K. Vijay Kumar dt. 28-3-2005

नई दिल्ली, 27 जुलाई, 2010

का.अ. 2081. - औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ हैदराबाद के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या एलसीआईडी 68/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2010 को प्राप्त हुआ था।

[सं. एल-12014/2/2010-आईआर(बी-1)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2081.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (LCID No. 68/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the management of State Bank of Hyderabad and their workmen, received by the Central Government on 28-7-2010.

[No. L-12014/2/2010-IR (B-I)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AT HYDERABAD

PRESENT: Shri VED PRAKASH GAUR, Presiding Officer

Dated the 1st day of May, 2009

Industrial Dispute L. C. I. D. No. 68/2005

BETWEEN

Sri P. Srinivas,
S/o P. Ramulu,
C/o A.P. Industrial Employees Union,
"House of Labour", King Kothi Road,
Hyderabad -29 Petitioner

AND

1. The Dy. General Manager,
Personal Department,
State Bank of Hyderabad,
Gunfoundry Head Office,
Hyderabad.

2. The Branch Manager,
State Bank of Hyderabad,
Bellavista Branch,
Somajiguda Branch
Hyderabad

..... Respondents

APPEARANCES

For the Petitioner : M/s. N. Meenakshi, C. Lavanya & G. Sailaja, Advocates

For the Respondent : Sri Ch. Siva Reddy, Advocates

AWARD

This is a petition filed under Sec.2 A (2) of the I. D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others by Sri P. Srinivas challenging the illegality and validity of the order passed by the Respondent dated 6-6-2005 thereby the services were orally terminated by the Respondent.

2. It has been stated by the Petitioner that he was appointed by the Respondent as casual labour from 18-6-1996 and was posted under 2nd Respondent where the Petitioner worked for more than 240 days continuously without any break in that year on a wage of Rs. 50 per day. The Petitioner has worked in that capacity for more than 14 years but he was not made regular. When the Petitioner insisted for regularization and asked for the correct payment of wages then the services of the Petitioner were

terminated on 6-6-2005 without any written order or following the due procedure. Before that the Petitioner made a representation dated 19-5-2005 to regularize his services and pay arrears of wages as per the wages paid to the casual labourer of Kakatiyanagar branch who raised ID No. 35/2001 which was decided on 24-9-2002 and the casual labour of the Kakatiyanagar branch were given wages as per rules and they were also paid arrears of the wages. The Petitioner moved a petition to follow the procedure of 1/3rd pay after two years one half of pay after another two years and 3/4th pay after another two years. The Petitioner further served a reminder on 31-5-2005 but no action was taken by the Respondent management. The action of the management in orally terminating the services of the Petitioner is illegal and against the principles of Industrial Disputes Act, 1947. The Hon'ble High Court of A.P. in WP No. 15555/93 directed the Respondent to consider the cases of the Petitioners of that case. Another WP No. 18436/2004 decided on 11-10-2004, the Hon'ble High Court of A.P., directed the Respondent to pass appropriate order on the observations of the regular employees. But the Respondent has not obeyed that order also. Hence, this petition.

3. The Respondent management has filed counter statement. They have challenged the maintainability of the claim petition. The Respondent has submitted that the Petitioner has not worked for more than 240 days. He was not on the rolls of the bank as such, the question of termination of the services did not arise, the allegation to this effect is baseless and misconceived. The bank has never engaged Petitioner in their employment nor the vacancies were notified, the petitioner was engaged for casual work when his services were required by the bank. He was never employed as regular or a full day worker. He is not entitled for the benefit Sec. 25F of the Industrial Disputes Act, 1947, because he was engaged to work as and when the bank required services of the Petitioner he was employed for that date only. The Petition has no force and deserves to be rejected or dismissed. The Petitioner cannot claim any advantage from the order passed in WP No. 15555/93 or WP No. 18436/2004 because the Petitioner was not a party to this petition.

4. Parties were directed to produce their respective evidence. Petitioner filed his affidavit as examination in chief and presented himself for cross-examination. He has filed documents marked as Exs.W1 to W23. Respondent bank filed affidavit of Mr. Ch. Surender Raju as MW1, as examination in chief and presented him for cross-examination. Respondent has also filed xerox copy of the award dated 24-9-2004 passed in ID No.35/2001. Copy of the order of Hon'ble High Court of A.P. passed in WP No. 15555/93 between Vishnu Kumar and K. Raju Vs. M.D., State Bank of Hyderabad. Letter of the Personnel department No. PER. GR. VI/7777 dated 28-3-2005 to Sri N.

Rama Krishna and another letter addressed to Sri V. S. Krishna Chary, another letter to Sri K. Vijaya Kumar informing them that the bank is not in a position to absorb them in the bank's services.

5. I have heard Counsels for both the parties and have perused the relevant claim and counter statements of the parties, documentary and oral evidences filed by them. It has been argued by the Learned Counsel for the Petitioner that the Petitioner has challenged the oral order of termination without following the procedure laid down u/s 25 F of the Industrial Disputes Act, 1947 because the Petitioner has already put in more than 240 days of service under the management and control of the Respondent Nos.1 and 2. Thus, non-observance of the provision of Sec. 25F in this case is fatal and it cut the very root of the termination order, because the compensation u/s 25F of the Industrial Disputes Act, 1947 has not been paid in this case. As against this argument of the Learned Counsel for the Petitioner, the Learned Counsel for the Respondent has argued that the Petitioner of this case has not been able to show and prove that he has worked for more than 240 days in the year preceding the alleged date of termination of his services. The Petitioner has not produced any appointment letter to show as to when he was appointed in the bank's services. The Learned Counsel for Respondent has cited the statement of the Petitioner dated 1-3-2006 wherein during cross-examination the Petitioner has admitted that he was not given any appointment order. The Respondent's counsel has further cited the oral statement of the Petitioner dated 1-3-2006 wherein the Petitioner has stated that he was not assured in the writing for regularization. The Petitioner has stated that he worked on the extension counter of the Respondent bank at RTI office. The Petitioner has stated that Respondent bank has not recruited anybody as temporary employee for the last five years. A suggestion has been given to the Petitioner by the Respondent that he has not worked for more than 240 days in a year, though the Petitioner has denied the suggestion but the Petitioner on his own has not filed any documentary or other reliable evidence which may prove that the Petitioner has worked for more than 240 days in the year preceding date of his termination. Learned Counsel for the Respondent has argued that it is the duty of the Petitioner before the Industrial Tribunal to prove that he has worked for more than 240 days in the year preceding the date of termination of the services then, only the Petitioner's shall be entitled for the benefit of Sec.25F of the Industrial Disputes Act, 1947. The Petitioner of this case has not been able to prove that he has worked for more than 240 days preceding the date of his termination as such, the provisions of Sec.25F of the Industrial Disputes Act, 1947 is not applicable in the present case and non-observance of the procedure of Sec. 25F of the Industrial Disputes Act, 1947 does not made the order of disengagement illegal.

6. The Petitioner has filed Ex.W3 xerox copy of the Identity card issued to the Petitioner as casual labour, when this I Card was issued is not clear. When the Petitioner was appointed is not clear. Ex.W19 is recommendatory letter of the Respondent, the Branch Manager recommending for the absorption of P. Srinivas on consolidated wages. Ex.W1 letter dated 11-3-89 for absorption of three employees which is not concerned with the present petition. Ex.W11 and W12 are not concerned with the present case. Ex. W11 to W14 are letter for re-sending and receiving the clearing bags through the Petitioner in the year 2002. Ex. W17 and W18 are letter to deliver high value clearance through P. Srinivas. Ex.W22 is the letter of Respondent to the State President, A.P. Industrial Employees Union informing him that K. Santosh Kumar, P. Srinivas, V. S. Krishnachary, Bhuraram and Sri N. Ramakrishna are not workmen within the meaning of Industrial Disputes Act, 1947 because they are engaged on day to day basis depending upon contingency and they have no right for regularization. On the basis of these documents, the Petitioner's counsel has argued that the Petitioner has worked from 2002 to 2005 regularly and he has completed 240 days, this shows and proves that the Petitioner has been engaged on those dates when there is work available with the Respondent. There is no document to prove that the Petitioner has continuously worked for more than one day at one stretch of a time, this proves the contention of the Respondent that the Petitioner was engaged only on these dates when there was work available with the Respondent and thus the nature of engagement of the Petitioner was for a single day. He was engaged at the beginning of the date and his services were disengaged on the close of the day. Thus there is no proof or evat of evidence to substantiate the contention of the Petitioner that he was continuously working for 240 days or even for single week.

7. Learned Counsel for the Respondent has further argued that the Petitioner has no right to claim regularization or absorption in the services because he was never appointed as a regular casual labour or daily wage worker. Since the Petitioner was not engaged on the regular basis he cannot claim benefit of absorption or regularization. The services of Petitioner were on the day to day basis, thus, he has no legal right to claim regularization or claim the benefit of Industrial Disputes Act, 1947.

8. I have considered the above argument of the Learned Counsels for the parties and have also gone through the documents cited above and the statement of the Petitioner. In his statement, the Petitioner has nowhere stated that he has continuously worked for more than 240 days. He himself has admitted that no appointment letter was given to him and within last five years no person has been employed by the Respondent bank as temporary employee. This statement was recorded on 1-3-2006 from the own admission of the Petitioner it is proved that since

2001 onwards nobody was employed by the Respondent bank or recruited by the Respondent bank. Hence, the contention of the Petitioner that he is working since 2001 or beyond 2001 is misconceived based on no evidence and not fit to be believed by this tribunal. It is undisputed that the Petitioner has been engaged when the Respondent bank has work to be done on a particular date, thereby the Petitioner was engaged for a day's work as and when required by the Respondent management. The Petitioner was never appointed or recruited as a regular employee of the bank, his services were disengaged on the close of the day as such, he cannot claim the benefit of Sec. 25F of the Industrial Disputes Act, 1947 and Respondent bank has not committed any illegality in not following the provisions of Sec. 25F of the Industrial Disputes Act, 1947. Since the Petitioner was engaged for a day's work after the close of the day Petitioner did not remain the employee of the bank, therefore he has not completed more than 240 days in the year preceding the date of his disengagement from the employment. There was no need to follow the procedure of Sec. 25F. Petitioner's disengagement is neither illegal nor it is in violation of the principles of Industrial Disputes Act, 1947 and no interference can be done in the action of the management. The Learned Counsel for the Respondent has cited case of Hon'ble Supreme Court of India reported in 2008 (10) pages 1 Official Liquidator Vs. Dayanand and Others wherein the Hon'ble Supreme Court of India has quashed the appointment of a company paid staff because they have not come through the proper channel and by their absorption in the service, meritorious persons were not given opportunity or could not avail the opportunity to compete for the best. He has further cited the case law reported in 2006 (1) Decisions Today (SC) page 493 of the Hon'ble Supreme Court of India in the matter between the Secretary, State of Karnataka & Others Vs. Umadevi & Others, wherein the Hon'ble Supreme Court of India has held that the public employment should be made in accordance with the rule— Temporary employees or daily worker or contractual workers have no enforceable legal right to be permanently absorbed into service.

9. On the basis of above two case laws of Hon'ble Supreme Court of India, the Learned Counsel for the Respondent has submitted before this court that if this tribunal comes to a conclusion that the Petitioner was daily rate worker, even though in the light of the judgement of Umadevi, daily wage worker have no enforceable legal right to claim for absorption. More so, in this case, the Petitioner has not been able to prove that he was a regular daily wage worker. But from the evidence available on the record it is clear that the Petitioner was engaged by the Respondent management for only those days when there was work available with the management. Thus, the nature of employment of the Petitioner was that of a purely daily rate worker, whose employment was terminated at the end

of the day and thus he was not entitled to claim even daily wage work from the Respondent/Management. Thus, this disengagement of the petitioner, who was not appointed following rules of appointment is not fit to be governed by the principles of Industrial Disputes Act, 1947. The disengagement can not be questioned before this tribunal because Petitioner was not a workman within the meaning of the Industrial Disputes Act, 1947.

10. I have considered the above argument and I have also come to the conclusion that from the evidence on record it is proved that Petitioner was engaged for the day's work and his services or engagement were terminated by the end of the day. As such, the Petitioner can not claim regularization on the basis of such casual engagement. The action of the management in disengaging the services of the Petitioner is neither illegal nor against the principles of Industrial Disputes Act. It can not be questioned before this tribunal, the Petitioner has not been able to prove his case for declaring the action of the management as illegal or arbitrary and Petitioner is not entitled for any relief.

Award Passed accordingly. Transmit.

Dictated to Smt P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 1st day of May, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

WW1: Sri P. Srinivas

Witnesses examined for the Respondent

MW1: Sri Ch. Surender Raju

Documents marked for the Petitioner

- Ex.W1: Copy of Ir. No.PER/GR. VI/F.22/2279 from the Personnel Manager, Admn. to the Regional, Manager, for permanent absorption under ID Act dt. 11-3-1989
- Ex.W2: Copy of Ir. Dt. 29-12-99 reg. Absorption of temporary employees on consolidate wage dt. 29-12-99
- Ex.W3: Identity card Xerox copies
- Ex.W4: Copy of Respondent's Ir. to Chief Manager, deputing Petitioner to take delivery dt. 10-11-99
- Ex.W5: Copy of certificate to the Petitioner to take delivery of clearing bags
- Ex.W6: Copy of Respondent's Ir. to A.G.M., forwarding representation along with proposal dt. 11-10-99
- Ex.W7: Copy of proposal submitted by Respondent to A.G.M., recommending Petitioner for sweeper cum water boy post dt. 26-7-2001
- Ex.W8: Copy of proposal submitted by Respondent to A.G.M., recommending Petitioner for sweeper cum water boy post dt. 27-9-2001

- Ex.W9: Copy of Ir. of A.G.M., to the Branch Manager Begumpet appointing Sri K. Shankar Babu as scale wage worker
- Ex.W10: Copy of Ir. of Respondent No. F/3/430 drawing earlier letter dt. 27-9-2001 and sending the proposal for appointment of Petitioner
- Ex.W11: Copy of Respondent's letter to Chief Manager, Service branch deputing the Petitioner dt. 11-4-2002
- Ex.W12: Copy of Respondent's letter to Chief Manager Service branch deputing the Petitioner dt. 22-4-2002
- Ex.W13: Copy of Respondent's letter to Chief Manager Service branch deputing the Petitioner dt. 14-5-2002
- Ex.W14: Copy of Respondent's letter to Chief Manager Service branch deputing the Petitioner dt. 21-5-2002
- Ex.W15: Copy of circular dt. 5-6-2002 No. PER/2002 2003/15 directions by Head Office to pay Bonus
- Ex.W16: Copy of Respondent's letter to Chief Manager Service branch deputing the Petitioner dt. 13-8-2002
- Ex.W17: Copy of Respondent's letter to Chief Manager Service branch deputing the Petitioner dt. 27-8-2002
- Ex.W18: Copy of Respondent's letter to Chief Manager Service branch deputing the Petitioner
- Ex.W19: Copy of Ir. of Respondent recommending the Petitioner for appointment dt. 24-3-2004
- Ex.W20: Copy of demand notice dt. 19-5-2005 by WW1 to the Respondent for his promotion to next grade
- Ex.W21: Copy of circular dt. 3-6-2005 No. PER/GR/IV/ Misc./1297 issued by Head Office to all the branches to terminate the candidates
- Ex.W22: Copy of Ir. of D.M., /Per. & HRD to the State President A.P. Industrial Employees Union that the casual labour are not workmen under the Industrial Disputes Act, 1947.
- Ex.W23: Copy of note on augmentation of sub-staff sweepers, for date of appointment and continuation Ex. dt. 6-5-99

Documents marked for the Respondent

- Ex.M1: Copy of award of CGIT-cum Labour Court, Hyderabad dt. 24-9-2002
- Ex.M2: Copy of order in WP No. 15555/1993 dt. 28-3-97
- Ex.M3: Copy of order in WP No. 18436/2004 dt. 11-10-2004

- Ex.M4: Copy of Ir. of State Bank of Hyderabad head office to Sri N. Rama Krishna dt. 28-3-2005
- Ex.M5: Copy of Ir. of State Bank of Hyderabad to Sri V. S. Krishmachary dt 28-3-2005
- Ex.W6: Copy of Ir. of State Bank of Hyderabad to Sri K. Vijay Kumar dt. 28-3-2005.

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2082.—औद्योगिक विवाद अधिनियम, 1947 (194 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक लुधियाना के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 171/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/138/2003-आईआर(बी-1)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2082.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I. D. No. 171/2003) of the Central Government Industrial Tribunal/ Labour Court, No.1, Chandigarh as shown in the Annexure in the industrial dispute between the management of State Bank of India, Ludhiana, and their workman, received by the Central Government on 28-7-2010.

[No. L-12012/138/2003-IR (B-I)]

JOHAN TOPNO. Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR, SHARMA
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1
CHANDIGARH**

Case I. D. No. 171/2003

Shri. Iqbal Singh S/o Shri J.G. Verma, House No. 3030/A Sector-44-D, Chandigarh - 160023

...Applicant

Versus

The Assistant General Manager State Bank of India, Region-II, Zonal Office, Ludhiana - 141008.

...Respondent

APPEARANCES

For the Workman : Shri J. P. Singh

For the Management : Shri Ashok Khullar

AWARD

Passed on : 8-7-10

Government of India vide notification No. L -12012/138/2003-IR (B-I), dated 19-9-2003 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal:—

“Whether the action of the management of State Bank of India in awarding the punishment or removal from services to Shri Iqbal Singh, Ex-Messenger

w.e.f. 22-10-1999 is just and legal? If not, what relief the workman is entitled to and from which date?”

After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings. On perusal of the pleadings of the parties, it is clear that workman was charge sheeted for receiving the premium of certain amounts from different persons namely Smt. Sumitra Devi, Smt. Subhadra, Shri Suresh Kumar, Smt. Mandara and did not deposit the same in their respective accounts. On the basis of the complaint filed by these effected persons (complainant) explanation was called for and the workman deposited the entire amount. Dissatisfying with the reply, the workman was given a charge sheet. The workman replied the charge sheet. Initially he also denied the charges leveled against him. But during the proceedings of the enquiry, the workman in writing as well as in oral admitted the charges. The enquiry officer on the basis of the admission of the workman submitted the enquiry report and the disciplinary authority on the basis of the report, after affording the opportunity for personal hearing to the workman, awarded the punishment. Before this Tribunal, the workman has challenged the very nature of admission. As per the contention of the workman he has not voluntarily admitted the charges and his admission suffered as follows:—

- (1) The enquiry officer before recording admission has not warned him of consequences of admission which can result in dismissal/discharge or removal from the services.
- (2) The enquiry officer, disciplinary authority and appellate authority did not take any notice on the explanation given by the workman on the basis of the admission which was not voluntary.
- (3) The workman has not admitted the charges at the time of receiving of the charge sheet. As per the provisions of Bipartite Settlement, the enquiry can be dispensed with only if the employee admitted the charge in reply to the charge sheet and in case the management did not intend to the cessation of the services of the employee charge sheeted.

On the basis of the above contentions, the workman has prayed for setting aside the dismissal order. The workman has also stated that the punishment awarded was not proportionate to the misconduct.

Both of the parties were afforded the opportunity for adducing evidence. Complete enquiry file has been filed by the bank. On perusal of the enquiry file and the materials on record filed and adduced before this tribunal, I am of the view that workman was charge sheeted as follows:—

1. While posted as messenger, at Maru Mandi Branch, he allegedly unauthorisedly collected Recurring Deposit instalments from the under noted four Recurring Deposit Account holders:—

2. He did not deposit the so collected money in the relative account holder's accounts immediately after collection

He unauthorisedly made the authenticated entries in respect of the Recurring Deposit instalments collected by him, in the respective pass books of the above mentioned four account holders, without depositing the money in their recurring deposit accounts.

The workman replied the charge sheet and dissatisfying with the reply an enquiry was ordered to be conducted. During enquiry proceedings the workman orally and in writing admitted the charges. On the basis of the admission the enquiry officer submitted the report and after complying with the provisions of the Bipartite Settlement regarding issuing show cause notice containing tentative punishment and affording the opportunity of personally hearing, disciplinary authority awarded the punishment. The workman preferred an appeal which was dismissed. Thereafter, the workman raised the industrial dispute and on account of failure of the conciliation proceedings this reference.

The proceedings before this Tribunal are different then the proceedings before Criminal Courts and the

Traditional Civil Courts. The proceedings before this Tribunal and the departmental proceedings run on the basis of the justice, equity and good conscious. Provisions of Procedural Laws and the Evidence Act are not applicable. Any evidence which can not be strictly termed as evidence in the Evidence Act, can be relied upon by the Tribunal and by the enquiry officer in department proceedings, if it has credibility and reliability and too if justice requires so to do. The accused has to be informed about the consequences of confessional statement is the settled principle of criminal jurisprudence. It has no role to play in departmental proceedings and proceedings before the Tribunal. Likewise, it is not necessary that workman admits the charges when he has been submitted the charge sheet and not hereafter. There is no bar, legislative and the procedural, applicable in the Tribunal and in department proceedings which restrain the workman or any other delinquent official to admit the charge at any other stage. Meaning thereby, charge can be admitted at any stage. Duty of the enquiry officer and the Tribunal is to look

S.No.	R/D/A/C No.	Name of A/C Holder	Dt. of Collection	Amount of inst. in Rs.	Total amount of collection (in Rs.)
(1)	(2)	(3)	(4)	(5)	(6)
A.(1)	14/2892	Smt. Sumitra Devi	21-8-95	300	
(2)			21-10-95	300	
(3)			18-11-95	300	
(4)			18-12-95	300	
(5)			20-2-96	300	
(6)			18-3-96	300	
(7)			18-4-96	300	
(8)			20-5-96	300	
(9)			18-6-96	300	
(10)			18-7-96	300	
(11)			19-8-96	300	
(12)			18-9-96	300	
(13)			16-10-96	300	
(14)			18-11-96	300	
(15)			18-12-96	300	
(16)			18-1-97	300	
(17)			18-2-97	300	
(18)			18-3-97	300	
(19)			18-4-97	300	
(20)			19-5-97	300	
(21)			18-6-97	300	
(22)			19-7-97	300	
(23)			18-8-97	300	6900

(1)	(2)	(3)	(4)	(5)	(6)
(B)	17/5057	Smt. Subhadra	18-6-97	600	600
(C)	17/5097	Sh. Suresh Kumar	20-6-97	200	200
(D)(1)	16/3130	Smt. Mandara	18-3-96	200	
(2)			18-4-96	200	
(3)			20-5-96	200	
(4)			18-6-96	200	
(5)			18-7-96	200	
(6)			19-8-96	200	
(7)			18-9-96	200	
(8)			16-10-96	200	
(9)			18-11-96	200	
(10)			18-12-96	200	
(11)			18-1-97	200	
(12)			18-2-97	200	
(13)			18-3-97	200	
(14)			18-4-97	200	
(15)			19-5-97	200	
(16)			18-6-97	200	
(17)			19-7-97	200	
(18)			18-8-97	200	3600
Total amount collected in the above four accounts					11300

whether the charge has been admitted freely without coercion and after understanding the nature admitted the fact. If the charge has been admitted freely without pressure or coercion and after knowing the consequences of admission, it will be a good piece of evidence and sufficient to inflict the punishment for the misconduct workman has admitted. Thus, there is no force on any of the contentions raised by the workman regarding the admission.

Once the charge was admitted orally and in writing the burden of proof that charges were not voluntarily admitted is on the workman. The workman has not challenged the voluntarily admission during the cross-examination. In his cross-examination, he has shown his ignorance about the admission. As per the statement of the workman:

"I do not remember whether I have admitted the charges during the enquiry proceedings. I do not remember whether enquiry officer has afforded full opportunity of hearing to me."

The above statement of the workman shows that he has not challenged the nature of admission before this Tribunal. In his evidence, the workman has admitted that he has deposited the entire amount but under pressure. He

was forced to sign the cheque to deposited the amount which he is said to be embezzled. The Manager got his signature under threat of lodging a criminal complaint against him. When any embezzlement is committed by any person to initiate the criminal proceedings is a right of the department. Initiating criminal proceeding can be termed as threat by workman as it was one of the option available to the management. If the workman has not committing anything, why has he deposited the amount is unanswered? Moreover, the workman has failed to prove any instance which leads to his admission doubtful. On perusal of the entire materials on record, I am of the view that workman has voluntarily admitted the charges and there was no procedural mistake committed by the enquiry officer in submitting the report on the basis of admission. Considering the nature of misconduct the punishment awarded to the workman, in my view was/is proportionate. No interference is called for in decision making of the enquiry officer and awarding the punishment by the disciplinary authority. The reference and industrial dispute is accordingly answered. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2083.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं बी.एस.एन. एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 1269/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल- 40012/126/2005-आईआर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2083.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1269/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No.1, Chandigarh as shown in the annexure, in the industrial dispute between the employers in relation to the management of BSNL and their workmen, which was received by the Central Government on 27-7-2010.

[No. L-40012/126/2005-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. No.1269/2006

Smt. Kailash Devi,
W/o Shri Kasturi Lal,
H. No. 114, Gali No. 3,
Krishna Nagar,
Jammu

... Applicant

Versus

The General Manager,
Bharat Sanchar Nigam Ltd.,
Exchange Building,
Exchange Road,
Jammu.

... Respondent

APPEARANCES

For the Workman : None

For the Management : None

AWARD

Passed on 06-07-2010

Central Government vide notification No. L 40012/126/2005- IR(DU), dated 15-06-2006, has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of BSNL i.e. Division Engineer, BSNL, SDE, Telephone, Trunk Exchange, Kachhi Chhawani, Jammu, and General Manager, Bharat Sanchar Nigam Ltd., Jammu in terminating the services of workman Smt. Kailash Devi W/o Kasturi Lal w.e.f. December 2003 is legal and justified? If not, what relief the workman is entitled to and from which date?”

2 Case repeatedly called. None appeared for the workman and the management. The case was fixed for evidence of the parties. The present reference was referred to this Tribunal in the year 2006. Already four years have been elapsed. The workman has not appeared for her evidence. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is return to the Central Government for want of prosecution. Central Government be informed. File be consigned.

06-07-2010

G. K. SHARMA, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2084.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन. एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 1200/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल- 40012/20/2005-आई आर (डी यू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2084.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1200/2005) of the Central Government Industrial Tribunal-cum-Labour Court, No.1, Chandigarh as shown in the annexure, in the industrial dispute between the employers in relation to the management of BSNL and their workmen, which was received by the Central Government on 27-07-2010.

[No. L-40012/20/2005-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case I.D. No. 1200/2005

Sh. Ram Singh,
Son of Shri Milkhi Singh,
Resident of House No. B-13,
Mati Dass Nagar,
(Mahesh Nagar) Ambala Cantt.

... Applicant

Versus

1. The General Manager,
Telecom BSNL,
Lila Bhawan,
Patiala.
2. AGM, Telecom Circle,
BSNL, Sector-34A, Chandigarh
3. The SDO (Phones-I),
Baradari Garden,
Telephone Exchange,
Opposite Kali Devi Mandir, Patiala.
4. The D.E. Telecom,
BSNL External,
Baradari Garden,
Telephone Exchange,
Opposite Kali Devi Mandir,
Patiala.

... Respondent

APPEARANCES

For the Workman : None

For the Management : None

AWARD

Passed on 15-07-2010

Government of India vide notification No. L-40012/20/2005-IR(DU), dated 17th of August, 2005 by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (the Act in short), referred the following industrial dispute for adjudication to this Tribunal:—

“Whether the action of the management of Bharat Sanchar Nigam Ltd., Patiala in removing Shri Ram Singh son of Shri Milkhi Singh, Ex. Mazdoor w.e.f. 27-10-1988 from, service retrospectively without giving him proper opportunity to defend his case is legal and justified? If not, to what relief the concerned workman is entitled to and from which date?”

2 Case repeatedly called. None appeared for the Parties. Today the case was fixed for the evidence of the parties. No witness of the workman is present. The reference was referred by the Central Government in the year 2005 and already five years have elapsed. It appears that workman is not interested to pursue with, the present reference. In view of the above, the present reference is returned to the Central Government for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh
15-07-2010

G. K. SHARMA, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2085.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या सी जी आई टी/एल सी/आर/101/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल- 40011/11/89-डी-2(बी)]

जोहन तोंपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2085.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/101/90) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the annexure, in the industrial dispute between the employers in relation to the management of BSNL and their workmen, which was received by the Central Government on 27-07-2010.

[No. L-40011/11/89-D-2(B)]

JOHAN TOPNO. Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/101/90

PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN

Shri L. D. Sharma,
Divisional Secretary,
Akhil Bhartiya Doorsanchar Karamchhari Sangh.
Division Chhindwara,
CTO Complex,
Jabalpur

... Workman/Union

Versus

General Manager,
Telecom Department,
BSNL, Bhopal (MP)

The Divisional Engineer,
Telecommunication,
Chhindwara Division,
Civic Centre,
In front of Prabhuvandana Talkies.
Jabalpur (MP)

... Management

AWARD

Passed on this 16th day of July, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-40011/11/89-D-2(B) dated 28-2-90 has

referred the following dispute for adjudication by this tribunal:

"Whether the action of the management of Telecommunication, Bhopal (MP) in terminating the services of Shri Ajay Kumar Kashyap, S/o Shri Motilal Kashyap, Ex. Labour w.e.f. 29-2-88 is justified or not? If not, what relief the concerned workman is entitled for?"

2. The case of the workman/Union in short is that the workman was appointed as a Telegraph Mazdoor w.e.f. 7-10-85 and worked till 29-2-88. His service was terminated without any notice or without payment of compensation in accordance with the provision of Sec-25-F of the Industrial Disputes Act, 1947. It is stated that in the year 1985, he worked 75 days, in 1986 340 days, in 1987 330 days and in 1988 he worked 60 days. It is stated that the termination is illegal and the workman be reinstated with back wages.

3. The non-applicant/management appeared and filed written statement. The case of the management, interlia, is that the workman was casual daily worker for sometime and left the work on his own accord to seek better employment. His whereabouts was also not known to the management. It is denied that on 29-2-88 he was orally intimated that his service was no longer required. It is stated that the dispute was raised after about one year. It is submitted that the reference be answered in favour of the management.

4. The Union/workman absented and had not adduced evidence. As such the reference is proceeded ex parte against the Union/workman on 20-5-2009.

5. The only issue for determination is that whether the termination of ex-workman by the management is proper and justified.

6. To prove the case, the management has adduced evidence in the reference. The management witness Shri R.K. Shivavedi is Telecom District Engineer, Balaghat. He is conversant with the case. He has stated that workman did work for some time as casual labour and left the work on his own accord. His evidence shows that the workman has not completed 240 days during a period of twelve calendar months preceding the date with reference. His evidence is un rebutted. There is no other evidence on the record to contradict the case of the management. The burden was on the Union/workman who had raised the dispute to prove that provision of Section 25-F of the I.D. Act 1947 is applicable. Thus it is clear that the management was justified in terminating the services of workman. Accordingly the reference is answered in favour of the management.

7. In the result the award is passed without any order to costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2086.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं दूरसंचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 73/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल- 40025/4/2010-आईआर(डीयू)]

जोहान टोपनो, अवर सचिव,

New Delhi, the 27th July, 2010

S.O. 2086.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 73/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the annexure, in the industrial dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 27-07-2010.

[No. I-40025/4/2010-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present:- Shri Ved Prakash Gaur, Presiding Officer

Dated the 2nd day of July, 2010

INDUSTRIAL DISPUTE L.C.No.73/2005

Between:

Sri Kathakonda Gangaiah,
S/o Venkatnarsu,
R/o Ward No.19, H.No.5-6-146/1,
Kapuwarda,
Karimnagar District.

... Petitioner

AND

The Sub-Divisional Officer,
Telecom, New Telephone Bhawan,
Karimnagar - 505001.

... Respondent

3099 40/10-24

APPEARANCES:

For the Petitioner : Sri K. Srinivasa Rao, Advocate

For the Respondent : Sri Karoor Mohan, Advocate

AWARD

This petition under Sec.2 A (2) of the I.D. Act, 1947 has been filed by Sri K. Gangaiah an ex-employee of S.D.O., Telecom, Karimnagar in light of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No.8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. It has been alleged in the claim petition that Petitioner joined the service of Respondent organization as sweeper in the year 1989 and he worked continuously without any break in service till he was illegally terminated by Respondent on 1-8-2003 without assigning any reason and without conducting any enquiry or without giving any notice which is illegal, unjust, contrary to law and liable to be quashed. It has further been stated that Petitioner reported for duty but he was not allowed to enter in the premises of Respondent. There was plenty of work with the Respondent management and juniors to the Petitioner namely, S/Sri T. Butchaiah and Srinivas have been continuing in service, thus, the disengagement of Petitioner is illegal and bad in law. Petitioner was issued with the identity card and payment slips, vouchers which will prove that he has been working with the Respondent from the year 1989. He gave several representations for regularization of his services but no action was taken by the management. Though the Petitioner's juniors were regularized in service, Petitioner's services were only terminated. Petitioner was engaged for work of sweeping, watering and gardening of Respondent premises. The action of management is unjustified and punishment imposed is shockingly disproportionate. The Petitioner's family has been thrown on streets without any fault of the Petitioner, hence this petition is to set aside the removal order and to direct the Respondent to engage the Petitioner to be post he was holding.

3. Counter statement has been filed by the Respondent management denying that Petitioner was working with the Respondent since 1989 or his services were terminated on 1-8-2003. It was also denied that services of Petitioner were terminated without conducting any enquiry or issuance of notice. It has been stated by the Respondent that no employment was given to the Petitioner and he is put to strict proof. The Respondent has further stated that the Petitioner never reported for duty nor anyone prevented him to enter into the premises of Respondent. The case of Sri T. Butchaiah has no relevance to the Petitioner. No identity card was issued to the Petitioner because it is issued to the permanent employees. Petitioner has no right to seek regularization as such, the question of regularization does not arise. The

Petitioner's services were never engaged as such, termination does not arise. Petitioner is not entitled for any relief.

4. Parties were directed to file their evidence. Petitioner has filed community, native and birth certificate which is marked as Ex.W1. Petitioner has also filed original identity card duly signed by S.D.E., Telecom District Karimnagar which is marked as Ex. W2, xerox copy of identity card issued by S.D.E., Karimnagar, xerox copy of age certificate marked as Ex.W3, xerox copy of the letter of department of Telecommunications approving the contract of M/s. Padma Domestic Services, for Rs.1300 per month, xerox copy of ACG-17 vouchers of payment to K. Gangaiah by Indian Post and Telegraphs Department for the month of June, 1995 which is marked as Ex.W4, receipt of payment of Rs.1800 it is marked as Ex.W5, original salary certificate by S.D.O., Phones, Karimnagar dated 18-12-1996 that Sri K. Gangaiah is working in their office on daily wages as sweeper on the payment of Rs.750/ PM it is marked as EX.W6 and filed another two salary certificates dated 18-12-1996 and 10-11-2000. Copy of representation to the management for appointment as casual mazdoor dated 4-11-1999 it is marked as Ex.W7, Copy of another representation as part time sweeper to the management dated 9-3-98 it is marked as Ex. W8 and copy of legal notice marked as Ex. W9.

5. On the date of arguments Petitioner's counsel appeared and argued on behalf of the Petitioner and Respondent's counsel did not attend for arguments. I have heard Learned Counsel of Petitioner also gone through the claim petition, counter statement filed by the parties and the evidence adduced by the Petitioner in the form of documents as well as oral evidence on affidavit.

6. The Petitioner has admitted that he has not filed any document, to prove that he was appointed by the Respondent in 1989 and was terminated on 1-8-2003. He has admitted that his name was on the muster rolls. He has further admitted that Ex.W1 to W3 were in his custody.

7. It has to be considered whether the Petitioner was employed by Respondent management and was terminated by them without following the procedure of law. The Petitioner has filed xerox copy of identity card signed by S.D.E., Karimnagar and communication letter between Telecom District Manager and S.D.E., Karimnagar approving the Labour Contract of M/s. Padma Domestic Services for Rs.1300 per month for a period of one year. The Petitioner has filed payment receipts of M/s. Padma Domestic Services as Ex.W5. He has filed certificate dated 10-11-2000 from S.D.E., Trunks that K. Gangaiah S/o K.Venkat worked as sweeper from 1-7-1997 to 31-3-1999 again from 1-4-1999 to till date and certificate of payment by SDO, Karimnagar, it prove that Petitioner was engaged to work as sweeper from 1-7-1997 to 10-11-2000. There is receipt of payment of June, 2002, this shows and prove

that Petitioner was engaged to work as part time sweeper in the Office of S.D.O.E, Karimangar. No doubt, there is no written appointment order or written termination order. The documents on record along with oral evidence show that Petitioner was engaged to work from July, 1997 and he worked up to the year 2002, he has stated that he was disengaged from 1-8-2003 without any order, hence it has been challenged. The Respondent has denied taking services of Petitioner and engaging the Petitioner but document prove that Petitioner has worked in Respondent's organization, his services were taken for more than 6 years but he has been disengaged without following the principles of Sec. 25F of Industrial Disputes Act, 1947, no notice has been given to him. This amount to unfair labour practice. From the service certificate of the Respondent it is proved that Petitioner has worked continuously from 1-7-1997 till 10-11-2000, as such, it was mandatory on the part of the Respondent management to abide with the provisions of Sec. 25F of the Industrial Disputes Act, 1947. They have not complied with the provisions of Industrial Disputes Act, 1947. Hence, the disengagement of the Petitioner is unjustified and it amounts to unfair labour practice and illegal in the eye of law. The question is decided accordingly.

8. Since the Petitioner has been disengaged from the services without following the proper procedure as such, he is entitled for the reinstatement in the service. Respondent is directed to reinstate the Petitioner within two months from the receipt of this order. Petitioner will not be entitled for back wages. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 2nd day of July, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
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WW 1: Sri K. Gangaiah	NIL
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Documents marked for the Petitioner

Ex.W1: Copy of community, nativity & date of birth certificate
Ex.W2: Original identity card
Ex.W3: Copy of age certificate
Ex.W4: Copies of ACG-17 pay slips (6 Nos.)
Ex.W5: Payment receipt
Ex.W6: Original salary certificates (2 Nos.)
Ex.W7: Copy of representation dt. 4-11-1999
Ex.W8: Original representation dt. 9-3-98

Ex.W9: Copy of legal notice

Documents marked for the Respondent

NIL

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2087.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार शिप बिल्डिंग सेन्टर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 127/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल-42025/6/2010-आईआर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th July, 2010

S.O. 2087.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 127/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the annexure, in the industrial dispute between the employers in relation to the management of Ship Building Centre and their workmen, which was received by the Central Government on 27-7-2010.

[No. L-42025/6/2010-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT: SHRI VED PRAKASH GAUR, Presiding Officer

Dated the 23rd day of June, 2010

INDUSTRIAL DISPUTE L.C. No.127/2004

Between:

The Project Director,
Ship Building Centre,
Varuna Block,
Visakhapatnam.

...Petitioner

AND

Sri M. Ganesh,
S/o Ramu Naidu,
R/o D. No. 4-61,
Nagendra Colony, Kothapalem.
Gopalapatnam,
Visakhapatnam.

...Respondents

APPEARANCES:

For the Petitioner : Sri Y. Ramesh, Advocate

For the Respondent : Sri G. Jaya Prakash Babu,
Advocate

ORDER

This case has been filed by the Petitioner Sri M. Ganesh, Ex. Employee of Ship Building Centre, Varna Block, Visakhapatnam under Sec.2 A (2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No.8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others challenging the legality of the order of his termination of the service. Earlier this case was filed in the Industrial Tribunal-cum-Labour Court, Visakhapatnam and after creation of this Court transferred to this Court in view of the Government of India, Ministry of Labour's order No.H-11026/1/2001-IR(C-11) dated 18-10-2001 bearing I.T.I.D. No: 1/2003 and renumbered in this Court as L.C.I.D No. 127/2004.

2. The management has filed counter. The management has raised the jurisdiction plea through its counter statement challenging the very jurisdiction of this tribunal in Para 4 and 9 of their counter statement. It has been alleged by the Respondent that the Petitioner was not appointed by the Respondent management. Moreover, the employees of Ship Building Centre and Administration (Non Industrial and Non-Ministerial Staff) supervisory cadre are from the Union Personnel of the Armed Forces of India and their services are governed by the rules of Central Government to whom the Central Administrative Tribunal Act applies. The Ship Building Centre is not an industrial establishment and provisions of Industrial Disputes Act, 1947 is not applicable in the matter of employees of Ship Building Centre.

3. An I. A. was filed by the Respondent management on 21-1-2009 stating therein that the Ship Building Centre, Visakhapatnam is a project of Government of India, Ministry of Defence, Department of Defence Research and Development. The Project Director is the Head of the organisation. The Government of India has exempted the applicability of provisions of Industrial Disputes Act, 1947 vide Gazette of India notification dated 7-1-2003, as such the provision of Industrial Disputes Act, 1947 is not applicable in the matter of present Petitioner, the petition is not maintainable and it is fit to be returned to the Petitioner for presentation to the appropriate Court or authority.

4. Along with the affidavit, the Respondent has filed affidavit and certified copy of the Gazette of India Extraordinary, Part II, Section-3, Sub-section (ii) published on 7-1-2003 whereby the provision of Industrial Disputes Act, 1947 has been exempted to have effect in respect of working of the employees of the Centre.

5. The i. A. filed by the Respondent is allowed on 23-6-2010 stating therein that in the light of the provision stated in Sec.36(b) of the Industrial Disputes Act, 1947 which empowers the appropriate Government to exempt any of its undertakings or establishments from the purview of the Industrial Disputes Act, 1947. Therefore, this tribunal has got no jurisdiction to entertain claim petition filed under Sec.2A(2) of the Industrial Disputes Act, 1947. hence, the petition filed by workman Sri M. Ganesh is without jurisdiction. The petition be returned to the Petitioner for presentation to appropriate forum. In view of the I. A. 60/2009 filed in this case, this petition is closed.

Ordered accordingly. Transmit.

Dictated to Smt P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 23rd day of June, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
--	--

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 27 जुलाई, 2010

का.आ. 2088.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 11/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-7-2010 को प्राप्त हुआ था।

[सं. एल- 40012/88/2003- आईआर(डीयू)]

जोहन तोपनो, अव. सचिव

New Delhi, the 27th July, 2010

S.O. 2088.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 11/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Chandigarh as shown in the annexure, in the industrial dispute between the employers in relation to the management of BSNL and their workmen, which was received by the Central Government on 27-7-2010.

[No. L-40012/88/2003-IR(DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE
BEFORE SHRI GYANENDRA KUMAR
SHARMA, PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, -I,
CHANDIGARH

Case I.D. No. 11/2004

Shri Sukhdev Ram,
 S/o Shri Sohan Lal,
 C/o General Secretary,
 Trade Union Council,
 Patiala.

...Applicant

Versus

The General Manager,
 Telecom, BSNL,
 Sangrur (Punjab).

...Respondent

APPEARANCES

For the Workman : Shri H.S. Bath

For the Management : Shri G.C. Babbar

AWARD

Passed on:- 13-7-10

Government of India vide notification No. L-40012/88/2003-IR (DU), dated 29-1-2004 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal:—

“Whether the action of the management of General Manager, Telecom (BSNL), Sangrur in terminating the services of Shri Sukhdev Ram S/o Shri Sohan Lal, Ex-work-Charge Employee w.e.f. 09-12-1988 without any notice and without paying him any retrenchment compensation is legal and just? If not to what relief the concerned workman is entitled to and from which date?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. As per the pleadings of the workman, he worked with the management for 1289 days from 25-03-1983 to 09-12-1988 and his services were terminated on 09-12-1988 without notice or one month wages in lieu of notice and without payment of retrenchment compensation. During the period he was working with the management, he was drawing Rs. 14.45/- per day. The workman could not get the service certificate and submitted a number of representations for reinstatement and also remain sick. Juniors to him are still working which leads his termination void. On the basis of the above, the workman has prayed for setting-aside the termination order and for a consequential order for his reinstatement with consequential benefits.

The management appeared and filed written statement. Preliminary objection was taken that claim of the workman is bad on account of delay and latches.

Another preliminary objection was raised that workman was guilty of non-disclosing the material facts. As per the management, before raising this industrial dispute the workman filed an original of application before the Central Administrative Tribunal and the Central Administrative Tribunal after hearing the parties disposed off the petition as contested. The workman without disclosing this fact raised the industrial dispute and the appropriate Government referred the same without considering this issue. The management has contended that the claim of the workman is barred by the principle of resjudicata. On merits, it is contended by the management that workman has voluntarily abandoned his services and it is very well reflected from the orders of the Central Administrative Tribunal.

Parties were afforded the opportunity for adducing evidence. Evidence was recorded. Documentary evidence filed by the parties are also on record. I have heard the parties at length and perused the entire materials on record.

First of all, I have to discuss the preliminary objections taken by the management regarding delay and latches in raising the industrial dispute and for not disclosing the material facts before this Tribunal. As per the contention of the workman, his services were terminated on 08-12-1988 and he raised the industrial dispute on 06-12-2002 almost after 14 years. It is true that no limitation is given in the Industrial Disputes Act for raising the industrial dispute, but so many judicial pronouncements have settled the issue that industrial dispute should be raised within a reasonable time. No firm definition of the reasonable time can be given. It always depends on the facts and circumstances of each case. Considering the nature of the proceedings before this Tribunal and the departmental proceedings no definite period in which the industrial dispute should be raised can be settled. The Tribunal or the authority concern have to perused so many factors including the socio-economic condition of one of the party to the proceedings. Meaning thereby, 14 years delay may not be the fettle if it is properly explained, but in the case before the Tribunal the delay has not been explained. It is only mentioned that workman moved so many representations and also remain sick. No representation has been filed before this Tribunal while the workman was afforded the opportunity for adducing evidence. Likewise, there is no evidence on record to prove the sickness of the workman for the period he failed to raise the industrial dispute. The 14 years period undoubtedly is not a reasonable time. As stated earlier, it may not be fattle if explained, but the workman failed to explain the cause for raising the industrial dispute after abnormal delay of 14 years. Moreover, the management has disclosed one more fact which has not been disclosed by the workman. Before raising the industrial dispute, the workman filed an original petition before the Central Administrative Tribunal, Chandigarh and the Central Administrative Tribunal after affording the opportunity of

being heard to both of the parties dismissed the petition. The order passed by the Central Administrative Tribunal has been filed by the management. On perusal of the order passed by the Central Administrative Tribunal. It is evidently clear that Central Administrative Tribunal has considered every issue and disposed of the Case which have been raised by the workman before this Tribunal in the industrial dispute, Undoubtedly, the workman is guilty for non-disclosing the material facts. Where any party is guilty and there are latches on the part of any party for non-disclosing the material facts, the Tribunal should take serious note of it. Thus, the workman is guilty of raising the industrial dispute after abnormal delay of 14 years without explaining the reason and he is also guilty for non-disclosing all the material facts as stated above. On these grounds, the claims of the workman have no legs to stand.

On merits as well Central Administrative Tribunal has elaborately discussed the issue of voluntarily abandonment of services by the workman. The documents filed by the workman proves that he himself absented for a long period before approaching to the Central Tribunal and thereafter raising the industrial dispute. The witness of management has categorically stated that if the workman would have not voluntarily abandoned his services, he had been a permanent employee of the department. He has also admitted that services of the juniors to the workman have been regularized. On perusal of the documents filed and relied upon by the workman and the judgment of the Central Administrative Tribunal. I am of the view that there were latches on the part of the workman. He was himself guilty for abandoning the work, After abnormal time, considering the issue that the services of the juniors have been regularized, he has raised the industrial dispute. Where there are latches on the part of the workman, he should not be entitled for any relief. He himself abandoned his services and he is also guilty for delay and latches and for non-disclosing the material facts to this Tribunal. The reference is answered accordingly. Let appropriate government be approached for publication of award, and thereafter, file be consigned to record room.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 28 जुलाई, 2010

का.आ. 2089. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं सी.पी. डब्ल्यू.डी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 25,195,197/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2010 को प्राप्त हुआ था।

[सं. एल- 42012/187/99-आईआर(डीयू),

एल- 42012/183/99-आईआर(डीयू),

एल- 42012/186/99-आईआर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 28th July, 2010

S.O. 2089.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 25,195,197/2000) of the Central Government Industrial Tribunal-cum-Labour Court, No.1 Chandigarh as shown in the annexure, in the industrial dispute between the employers in relation to the management of CPWD and their workmen, which was received by the Central Government on 28-07-2010.

[No. L-42012/187/99-IR (DU).

No. L-42012/183/99-IR (DU).

No. L-42012/186/99-IR (DU)]

JOHAN TOPNO. Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR
SHARMA, PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, -I,
CHANDIGARH**

Case I.D. No. 25/2000, 195/2000 & 197/2000

1. Shri Babloo
S/o Shri Malkhan,
House No. 593,
Kumhar Colony,
Sector-25, Chandigarh

2. Shri Bobby S/o Shri Kanwar Pal,
House No. 70, Sector-5,
Chandigarh.

3. Surinder S/o Shri Chatru Ram,
H. No. 211, Janta Colony,
Sector-25, Chandigarh

...Applicants

Versus

The Executive Engineer,
CPWD,
Central Division-II,
Kendriya Sadan,
Sector-9, Chandigarh

...Respondent

APPEARANCES

For the Workman : Shri Subhash Talwar.

For the Management : Shri Anish Babbar

AWARD

Passed on:- 20-7-10

This award shall answer three references and industrial disputes namely ID No. 25/2000, Shri Babloo Versus C.P.W.D. ID No. 195/2000, Shri Bobby Versus C.P.W.D. and ID No. 197/2000, Shri Surinder Versus C.P.W.D. All the industrial disputes and references have been referred by the Central Government by exercising its

powers under Section 10 of the Industrial Disputes Act, (the Act in short). Common question of law and facts are involved in all the three references. Hence for ends of justice all the three references and industrial disputes are decided by this award. The references in all the industrial disputes which were referred by the Central Government are as follows:—

(1) In ID No. 25/2000, Ref. No. 42012/187/99/IR (DU), dated 27-01-2000, Whether the action of the Executive Engineer, Central Division-II, C.P.W.D., Chandigarh in terminating the services of Shri Babloo S/o Shri Malkhan w.e.f. 29-12-1988 is legal and justified? If not, to what relief the workman is entitled and from which date?

(2) In ID No. 195/2000, Ref. No. 42012/183/99/IR (DU), dated 29-05-2000, Whether the action of the Executive Engineer, Central Division-II, C.P.W.D., Chandigarh in terminating the services of Shri Bobby S/o Shri Kanwar Pal w.e.f. 29-12-1998 is legal and justified? If not, to what relief the workman is entitled and from which date?

(3) In ID No. 197/2000, Ref. No. 42012/186/99/IR (DU), dated 29-05-2000, Whether the action of the Executive Engineer, Central Division-II, C.P.W.D., Chandigarh in terminating the services of Shri Surinder S/o Shri Chatru Ram w.e.f. 29-12-1998 is legal and justified? If not, to what relief the workman is entitled and from which date?

In all the references it has been the case of the workmen that they were appointed by the management as Safai Karamchari on different dates. They have completed 240 days of work with the management in the preceding year from the date of their termination. Their services were arbitrarily terminated without issuing them any notice or one month wages in lieu of notice or retrenchment compensation. New hands were engaged after termination of their services without affording them the opportunity to work. As per the contention of the workmen they were under the administrative control of the management and the wages were also paid by the management directly. As per the contention of each workman the above act of the management are void being against the provisions of the Act. As the act of termination is void, they deserve to be reinstatement into the services with all the consequential benefits.

The management appeared and contested the claim petition of every workman by filling written statement. The management has challenged the very employer and employee relationship. As per the management no one was appointed directly by the management but the services were provided with by the contractor on outsourcing. The management has also denied the administrative control over the workman and payment of wages as claimed by the workmen.

Both of the parties were afforded the opportunity for adducing evidence. Evidence of every workman was separately recorded. On behalf of the management Shri A.K. Gupta, Executive Engineer Central Division-II, C.P.W.D. filed his affidavit and the evidence of management was recorded. No documentary evidence was filed by any of the workmen. On the other hand, the management has filed the policy regarding carrying out the work of cleaning of office on contract. Copy of the contract agreement entered into between the management and the contractor has also been filed. None of the parties filed the documents relating to the payment of wages.

Parties were heard at length. I have perused entire materials on record.

The issue regarding the nature of the contract entered into between the management and the contractor for supplying contract labour and the conditions under which a contract can be shame and camouflage have been very well settled by Hon'ble the Apex Court in Steel Authority of India Limited and another versus National Union Water Workers and others AIR 2001 Supreme Court 352. Hon'ble the Apex Court in the same judgement has dealt with the issue very elaborately. I have gone through the entire judgement and the principles laid down by Hon'ble the Apex Court, particularly the circumstances under which a workman, in spite of being supply to the management by a so called contractor, can be deemed to be the employee or the principal-employer? Without quoting the relevant paragraphs, I shall apply the ratio of the judgment in the fact and circumstances of the present references and industrial disputes.

Thereafter, Hon'ble the Apex Court in GM, ONGC Shilchar versus ONGC Contractual Workers Union, 2008 LLR 80 has also dealt with the issue in specific terms. Hon'ble the Apex Court in GM, ONGC Shilchar's case (supra) has also relied upon the principal laid down by Hon'ble the Apex Court in Steel Authority of India Limited's case (supra). Hon'ble Punjab & Haryana High Court in FCI and other versus Presiding Officer Central Government Industrial Tribunal-cum-Labour Court-I Chandigarh and others 2008 LLR 391. On relying upon the principles laid down by Hon'ble the Apex Court in Steel Authority of India Limited's Case (supra) and G.M., ONGC Shilchar's case (supra) has also dealt with the issue of employer and employee relationship between the workman and the management of any organization. Hon'ble Punjab & Haryana High Court in the said judgment has also dealt with the circumstances under which a contract can be held to be camouflage, shame, merely an eye wash and just a paper arrangement. If the ratio of all the judgments mentioned above is considered, every workman has to establish the following facts:—

- (1) That their existed a master and servant relationship between the workman and the management (workman was directly engaged by the management).

- (2) That the workman was under the administrative control of the management.
- (3) That there was no contractor in between the management and the workmen.
- (4) That the payment of wages made good by the management to the workman directly and not by the contractor.
- (5) At the cost of the repetition the remittance rolls for the payment of wages made by the management and not by the contractor.

If the ratio of the above case laws is applied to the present industrial disputes, it is established before this Tribunal that the management was empowered by Government of India to carry out the work of sweeping through contractor on outsourcing. The management has discharged the work of sweeping and cleaning through the contractor is also established. Thus, two facts are very well established by the management that as per the Government policy the management has entered into a contract with contractor to supply the labour for cleaning the work as well. What is lacking is whether the contractor has also supplied the workmen/labour to the management? Only oral contents are on record. There is no record to prove that all the three workmen were supplied by name to the management. No doubt, there are certain documents which have been filed by the management to prove that contractor use to supply the number of labours for specified work without disclosing the identity and the payment was made good as per the number of labours provided after verification of the work discharged by them. In my view when the Government has empowered the management to get a particular work through contract labour, the practice adopted by the management to get workers in numbers and to make the payment on the basis of number of workers is not futile and against law. Under such circumstances, the workmen have to prove that they were not amongst labour supplied by the contractor. They were working independently with the management. They were under the administrative control of the management and were paid the wages by the management and not by the contractor. In the evidence of every workman, it is clearly mentioned that there is no evidence with them to prove they were paid wages directly by the management. On perusal of the entire evidence on record filed/adduced by each workman, I am unable to trace out any fact which can prove administrative control of the management over the workmen. It is settled law of service jurisprudence that workmen have to prove these facts. Whatever the documents were called for an request of the workman and directed by this Court, were filed by the management. The workman utterly failed to prove and established the facts that they were directly engaged by the management and they were paid directly by the management and not by the contractor. Thus, there is no substance in the claim of the workmen that their termination was illegal.

The workmen have raised one more plea that new persons were engaged without affording them the opportunity to work. The witness of the management has specifically adduced in evidence that the persons named by the workman were appointed as per the rules of the department. These are the two categories of the workman which cannot have the parity under the law. One group is the contractual worker and another is the employee appointed by the department as per the rules of the Central Government. Thus, there is no force in this contention of the workmen as well.

On the basis of the above observation, I am answering all the references with the directions that workmen failed to prove they were employees of the management. There existed no master-servant relations between them and no question for termination of services of workmen arises. Accordingly, none of the workman is entitled for any relief. Let appropriate government be approached for publication of Award. and thereafter, file be consigned to record room.

Chandigarh.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 28 जुलाई, 2010

का.आ. 2090.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.- 1, चण्डीगढ़, के पंचाट (संदर्भ संख्या 28/03 तथा 189/02) को प्रकाशित करती है, जो केन्द्रीय सरकार का 28-7-2010 को प्राप्त हुआ था।

[सं. एल-40012/194/2002-आईआर(डीयू),

सं. एल-40012/84/2002-आईआर(डीयू)।

जोहन तोपनो, अवर सचिव

New Delhi, the 28th July, 2010

S.O. 2090.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.28/03 & 189/02) of the Central Government Industrial Tribunal-cum-Labour Court No.1 Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 28-07-2010.

[No. L-40012/194/2002-IR (DU),

No. L-40012/84/2002-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.****Case I. D. No. 28/03 & 189/02**

1. Smt. Bimla Devi wife of Ashok Kumar, Balmiki Basti, Arjun gate, Karnal.
2. Smt. Rita Rani, 2196-B, Sector -24-C, Chandigarh.

....Applicants

Versus

The General Manager, Telecom, Department of Telecom, Karnal-132001.

2. The Principal General Manager, Telecom, Telephone Department, Sector-18A, Chandigarh.

...Respondents

APPEARANCES

For the workman : Shri Naveen Daryal and Amit Sharma, Advocates.

For the Management: Shri Anish Babbar.

AWARD

Passed on 28-7-2010

This award shall answered two references and industrial disputes namely ID No. 28/2003, Smt. Bimla Devi Versus Telecom and ID No. 189/2002, Smt. Rita Rani Versus Telecom. Both of the industrial disputes and references have been referred by the Central Government by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) Central Govt. has referred the following Industrial dispute for adjudication to this Tribunal :-

(1) ID No. 28/2002, Ref No. 40012/194/2002-IR (DU), dated 13-09-2002. Whether the action of the management of Telecom, Karnal in terminating the services of Smt. Bimla w.e.f. May 1997 is legal and justified ? If not, What relief the workman is entitled to ?

(2) ID No. 189/2002, Ref No. 40012/84/2002-IR (DU), dated 13-02-2009. Whether the action of the management of BSNL, in terminating the services of Smt. Rita Rani, Ex-part time Frash is just and legal ? If so, what relief the workman is entitled to ?

Common questions of law and facts are involved in both of the references; hence, same are being adjudicated and answered by this award. It is the common contention of both of the workmen that they were appointed as part time sweeper (safaiwala) by the management of Telecommunication Department. They have completed 240 days of work in the preceding year from the date of their termination. their services were terminated without

assigning any reason. They were not given any notice, nor paid one month wages in lieu of notice and lawful terminal dues before terminating their services. They were illegally denied the benefits of circular letter issued by the Central Government in the year 2000. In ID No. 189/2002 Smt. Rita Rani Versus Telecom, it is the contention of the workmen that she was engaged by the management on 10-8-92 and her services were terminated in the month of March 1999. She has completed 240 days of work in the every calendar year including the preceding year from the date of her termination. In ID No. 28/2003, Smt. Bimla Devi, it has been the contention of the workman that she was engaged by S. D. O. Telecom as part time sweeper in the year 1993 and her services were terminated on 31-05-1997. She has also completed 240 days of work in the preceding year from the date of her termination. On the basis of the above facts, it has been the common contention of both of the workmen that their termination is bad in law and against the provisions of the Act. Every workman has prayed for setting aside the termination order and reinstating of their services with consequential benefits.

The management appeared and opposed the claim petition by filing the written statement. Management has admitted that each workman was engaged as part time sweeper on causal basis but has denied the right of a casual worker to the post. it has been the contention of the management that casual worker are not having any right to post and their services cannot be regularized.

Both of the parties were afforded the opportunity for adducing evidence. Evidence of the workman was recorded in detail, whereas, on behalf of the management officers of management filed affidavits and were cross-examined. Documents have also been filed by the parties.

The main issue before this Tribunal are whether the management is guilty for illegal termination of the workmen and consequently denying lawful benefit to them of circular letter no. 269-13/99/STN-II, dated 25-08-2000 ? The consequential issue before this Tribunal is whether the disengagement of the workmen amounts to retrenchment and the same was illegal for want of notice or one month wages in lieu of notice and without lawful terminal dues ? The Tribunal has also to exercise on the relief clause, if any as claimed by each workman.

I have heard the parties at length. On perusal of the entire materials on record, it is evident that management has admitted the status of every workman as part time sweeper during the period in question. The period for which every workmen has claimed working with the management is not disputed. The document and the other materials on record prove the contention of every workmen that they have worked as part time sweeper with the management for a long period. The materials on record also prove that every workmen has completed 240 days of work in the preceding year from the date of her termination. No notice

or one month wages in lieu of notice and retrenchment compensation was paid to any of the workman. It has been the contention of the management that a casual worker has no right to post. Their services could not be regularized and, accordingly no notice or retrenchment compensation was required to be given/paid.

It is settled law of service jurisprudence that a casual worker or a casual labour has no right to post. The post can be filled in as per the rules applicable in the department relating to the appointment in public offices. But the question before this Tribunal is not relating to the right of post of the workman. The issue before this Tribunal is relating to the protection of right to work and the protection against the illegal termination. Industrial Disputes Act protects certain rights of casual worker. The important right which is protected by the provisions of the Act is his or her termination against the provisions of the Act. The provisions of the act does not prohibits the termination. The provisions of the Act regulates the termination. The termination is deregulated in the sense that if the services of any casual worker are no more required, the management can terminate the services as per the provisions of the Act. Meaning thereby, one month notice or one month wages in lieu of notice and retrenchment compensation is the condition precedent for termination of the services of any casual worker. It has not been done by the management. Thus, the termination of every workman was void and illegal being against the provisions of the Act.

The another contention of the workmen has been that they were illegally denied the benefit of circular letter No. 269-13/99/STN-II, dated 25-08-2000. On account of illegal termination of their services, it was compulsive denial the benefits of the circular letter. The issue of benefit of circular letter has been decided by this Tribunal in ID No. 209/2002. Smt Rajo Devi Versus Executive Engineer, BSNL. This Tribunal has discussed this issue in detail and has held that Smt. Rajo Devi in ID No. 209/2002 has been illegally denied the benefit of the circular letter. Smt. Rajo Devi was a part time casual worker. These two workmen namely Smt. Bimla Devi and Smt. Rita Rani were also the part time sweeper and were similarly situated workmen. Thus, the judicial propriety requires that the same principle should be adopted by this Tribunal which has been established and determined in ID No. 209/2002 to prevent the divergences in judicial decisions in similar cases.

The management has given the benefit of this circular letter to even those workmen which were part time sweeper, whereas the benefit was compulsively denied on account of illegal termination to these two workmen. The management has adopted two standards in implementation of the circular letter which is violation of Article 14 & 21 of the Constitution. There should be uniformity in implementation of a circular letter and similarly situated persons should be treated equally. When a circular letter is issued by the management, the same is to be implemented without any discretion in entire territorial jurisdiction of

the management. It cannot be claimed by the management that circular letter was applicable in particular office and was not applicable to another office. May be Smt. Bimla Devi and Smt Rita Rani working in another office but circular letter issued by the head office of the management shall be equally applicable to all the similarly situated workmen irrespective of their place of working.

Thus, as stated earlier, the judicial propriety requires that this issue should be decided on the same way as in Smt. Rajo Devi Versus Executive Engineer, BSNL. On the basis of the above observation, I am of the view that Smt. Bimla Devi and Smt. Rita Rani were illegally compulsive denied the benefit of above mentioned circular letter regarding conversion of part time sweeper to full time sweeper. Had they not been terminated from services, benefits of the above circular letter would have been conferred on them.

On the basis of the above discussion, I am of the view that a termination of each workman from the services was illegal and bad in law and consequently were illegally denied the benefit of circular letter no. 269-13/99/STN-II, dated 25-08-2000.

When the services of any workman has been declare illegal and void there are two possible remedies available to the workmen. The first remedy is reinstatement of the workman into the services and another is a reasonable compensation. It is settled law of service jurisprudence that priority should be given for reinstatement of the services of the workman and in exceptional circumstances where the reinstatement of the services is not possible due to some constraints; the cause of the workmen should be remedied by reasonable compensation.

The management has tried to link the issue of reinstatement with the issue of regularization of the services. These two issues are entirely different and accept in spring circumstances, have no nexus with each other. The remedy which is provided to the workmen is the reinstatement on the position on which they were working and not the regularization of the services. The regularization of the services is entirely the job of the management. But it is believed that management shall act honestly without any biasness as per the rules of the department to prevent the multi fariousness of the judicial proceedings. In similar case, I have also remedied the workmen with reinstatement of the services with direction of the management to give the benefit of circular letter in the same terms provided to Smt. Maya Devi as discussed in ID no. 209/2002 Smt. Rajo Devi Versus Executive Engineer, BSNL. Accordingly, I am of the view that both of the workmen namely Smt. Bimla Devi and Smt. Rita Rani deserve to be reinstated into the services along with the direction to the management to provided the benefit of the circular letter. The only difference in two cases is that in case of Smt. Rajo Devi the services of Smt. Rajo Devi was terminated after the circular letter whereas, the services of these workmen was terminated before the circular letter

came to existence. I am of the view that it will make no difference because the workmen were terminated from the services illegally and this illegal termination prevented them to claim the benefit of the circular letter. Accordingly, the management is directed to reinstate the services of each workman within one month from the date of publication of the award. The management is further directed to give the benefit of circular letter no. 269-13/99/STN-II, dated 25-08-2000 to each workman from 25-08-2000. Both of the industrial disputes and references are accordingly answered. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

Chandigarh

G. K. SHARMA, Presiding Officer

नई दिल्ली, 28 जुलाई, 2010

का.आ. 2091.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल रेशन स्टैंड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.- 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 69/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-7-2010 को प्राप्त हुआ था।

[सं. एल-14012/80/2001-आईआर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 28th July, 2010

S.O. 2091.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 69/2002) of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Ration Stand and their workman, which was received by the Central Government on 28-07-2010.

[No. L-14012/80/2001-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.**

Case No. I. D. No. 69/2002

Sh. Mohan Singh Son of Shri Jagdish Singh, Resident of Village Katch, PO Kot Beja, Tehsil Kasauli, Solan Himachal Pradesh

.....Applicant

Versus

The Officer Commanding Central Ration Stand, Subathu Shimla Hills, Tehsil Kasauli Solan HP.

...Respondents

APPEARANCES

For the workman : Shri R. P. Rana

For the Management : Shri Sanjiv Sharma

AWARD

Passed on 20-07-2010

Government of India vide notification No. L-14012/80/2001-IR (DU), dated 26-4-2002 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following Industrial dispute for adjudication to this Tribunal :—

“ Whether the Central Ration Stand, Subathu is an industry as per ID Act, 1947 ? If so whether action of the management of Central Ration Stand, Subathu in terminating the services of Shri Mohan Singh S/o Shri Jagdish Singh, Casual Labour w.e.f. 23-07-2000 is just and legal ? If not, to what relief the workman is entitled to and from which date ?”

After receiving the reference, parties were informed. It has been the contention of the workman that he was engaged as casual worker with the management vide appointment letter dated 3-4-99. His name was sponsored by employment exchange. his appointment was succeeded by an interview conducted by the management. The workman joined on 19-4-99 in pursuance of the appointment letter dated 3-4-99. The services of the workman were terminated without assigning any reasons, without notice, one month wages in lieu of notice and without lawful terminal dues. The similarly placed workman Shri Naresh Kumar who was appointed as casual worker on 12-12-99 and juniors to the workman were retained in the services and the services of the workman were terminated illegally. The services of Shri Naresh Kumar were also terminated on 9-9-2000 after two months from the date of termination of the services of the workman. Three regular posts are lying vacant with the management. New hands have been recruited by the management without considering the request of the workman to provide with the work. It has been the contention of the workman that above acts of the management are against the provisions of the Act and the termination is void and illegal ab initio. The workman has prayed for setting aside the termination order and for consequential relief reinstating his services with other benefits.

The management appeared and contested the claim of the workman by filing written statement. The nature of the management as industry has been challenged by the

workman by stating that management is not an industry under the Industrial Disputes Act. The reason for the above contention has mentioned in written statement that management is a military establishment which exercises the sovereign functions and the department/entity or an institution which exercises the sovereign functions cannot be held to be industry. On merits, all the contentions of the workman have been denied by the management with admission that Shri Naresh Kumar was employed for another work.

Parties were afforded the opportunity for adducing evidence. Oral evidence was recorded. Documentary evidence is on record. The copies of attendance register and the register relating to the payment have been filed by the management. There are three important issues to be dealt with by this Tribunal. The first issue is whether the management is an industry, and another issue is whether the employees of the management canteen can claim the privilege of being the Government servant? Another issue will be regarding the relief to the workman, if any.

So far as the issue of industry is concern, I am of the view that management is an industry as defined under the provisions of Industrial Disputes Act. Whether a particular organization or entity is industry or not is settled by Hon'ble the Apex Court in Bangalore Water Supply & Sewerage Board versus A. Rajappa & Others AIR 1978-SC 548. If the principles laid down by Hon'ble Apex Court in Bangalore Water Supply Case (Supra) is considered, the industrial character of any organization can be seen on the basis of activities carried on and functions discharged by it. The functions of the canteen are to provide the service to the military persons by supplying certain commodities of public utility. On the basis of this view the management of canteen cannot seek exemption from the definition of industry as given by Hon'ble Apex Court in Bangalore Water Supply and Sewerage Board's case (supra). It is the contention of the management that sovereign function is discharged by the management and as such it is exempted from the definition of industry. I am not inclined to accept this contention on the basis of activities of the canteen and services discharged by it. Accordingly, the management of canteen is an industry as per the definition of industry given in the Industrial Disputes Act and in Bangalore Water Supply and Sewerage Board's case (supra). Moreover, the evidence on record proves that workman has not only worked in the canteen but he has done loading and unloading work as a labour other than the canteen and other units under the management.

It is settled principle of service jurisprudence that if the relief claimed by any workmen could only be given under the provisions of the act, the tribunal constituted under the provisions of the act has the jurisdiction to redress the same. The relief sought by the workmen in the claim in question can only be granted under the provisions

of Industrial Disputes Act, accordingly, this Tribunal has got the jurisdiction to adjudicate the matter and to redress the grievances of the workmen. Accordingly, I am of the view that management is an industry and this Tribunal has jurisdiction to adjudicate the reference referred by the Central Government.

The another issue is whether the workman can claim the privilege of being a Government servant while working in the canteen? This issue was dealt with by Hon'ble the Apex Court in Union of India and Others Versus F. Aslam and Others 2001, LAOIC (Supreme Court) 488. In Aslam case (Supra), Hon'ble the Apex Court has disposed of several appeal against the judgment of Central Administrative Tribunal on the issue whether the workman serving in the unit run canteen are the Government employees. Hon'ble the Apex Court answered in positive that the workman or employee in unit run canteen are the Government servants. Hon'ble the Apex Court has also held that by holding so, it would not entitled them getting all the service benefits, which are available to Government servants or its counterparts serving in the canteens. It would necessarily depend upon the nature and duties discharged by them as well as on the rules and regulations and administrative instructions issued by the employer.

In another judicial pronouncement A.R. Pillai Versus Commanding Officer, while decided his Civil Appeal No. 3495/05 dated 28-04-2009, Hon'ble the Apex Court has held that sub-canteens are purely private ventures and their employees are not by stretch of imagination employees of the Government or CSD's. No doubt, the workman has not claimed the parity with the employees of CSD's with the management but as he claimed to be working with the canteen, it was mandatory on the part of this Tribunal to decide the nature of his services while working with the canteen. As stated earlier, this issue has not to be decided on isolation but on the basis of facts and circumstances of the case. The law laid down by Hon'ble the Apex Court shall be implemented and ratio of the judgment applied on the facts of the case.

In the evidence it has come before this Tribunal that workman was engaged as casual worker as per the procedure for appointment of casual worker applicable in the department. His name was sponsored by employment exchange. He was called for the interview and a selection letter was given to him. Thus, the initial appointment of the workman was valid. May be for a temporary period it was a valid appointment as a casual labour. The witness of the management Major Parshotam Singh has stated on oath before this tribunal that workman was given one month notice and retrenchment compensation before the termination of his services. He has also stated in his evidence on oath that he will provide the documents regarding the notice and retrenchment compensation within 15 days, but he failed to provide such documents. On

account of failure of the management to provide the documents as agreed upon during the cross-examination on oath, it shall be considered that no notice was given nor any compensation paid. From the evidence of Major Parshotam Singh, it is evidently clear that workman was not working in canteen only but he was entrusted to discharged the work of loading and unloading in other units then the canteen as casual worker. It is admitted by the witness of the management Major Parshotam Singh that after termination of the service of the workman another workman for specific work and for specific period was engaged.

Thus, from the perusal of the evidence of the parties, it is evident that workman was not only working in the canteen but was discharging his function as casual worker in the units other than the canteen. He was legally appointed. It is true that he was appointed for a specific period and if it is accepted that for expiry of that period his services were automatically terminated, it is his right to get the work for similar nature if available with the management on priority. Similar nature of work was available with the management. The workman as retrenches was not afforded the opportunity but another person was engaged in the same position. This all has been admitted by the witness of the management. Thus, management has violated the provisions of the Act by ignoring the provisions regarding the priority of work of a retrenches. If the services of the workman are retrenche or the same are automatically retrenched law protects his right to get the similar work on priority if the same is available. The management has failed to comply this provision: accordingly, the workman has right to his reinstatement into the services. The reference is accordingly answered with the direction to the management to reinstate the services of the workman on the same position on which he was earlier working within one month from the date of publication of the award. Considering the facts and circumstances of the case and the conduct of the management the workman will also be entitled for the back wages. The management is accordingly directed to reinstated the services of the workman and pay the back wages within one month from the date of publication of award. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

Chandigarh

G. K. SHARMA, Presiding Officer

नई दिल्ली, 29 जुलाई, 2010

का.आ. 2092.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रीम न्यायालया नं.- 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या

154/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-7-2010 को प्राप्त हुआ था।

[सं. एल-12012/292/97-आईआर(बी-1)]

जोहन तोपनो, अवर सचिव

New Delhi, the 29th July, 2010

S.O. 2092.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID No. 154/1998) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Patiala and their workmen, which was received by the Central Government on 29-07-2010.

[No. L-12012/292/97-IR (B-I)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case I. D. No. 154/1998

Shri Sat Pal Singh through the General Secretary, All India State Bank of Patiala Staff Federation, ward No. 6, H.N. 13, Solan. HP

....Applicants

Versus

The Assistant General Manager, II(D), State Bank of Patiala, Head Office, The Mall, Patiala.

...Respondents

APPEARANCES

For the workman : None

For the Management: Shri N. K. Zakhmi

AWARD

Passed on 13-07-2010

Government of India vide notification No. L-12012/292/97-IR (B-I), dated 22nd of July, 1998 by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (the Act in short) referred the following Industrial dispute for adjudication to this Tribunal :—

“ Whether the action of the Assistant General Manager II(P), H. O. State Bank of Patiala in imposing punishment of dismissal from service of Shri Sat Pal Singh, Daftri w.c.f. 30-07-1996 is fair and legal ? If not to what relief the workman Shri Sat Pal Singh is entitled and from which date ?”

2. the case repeatedly called. None is present on behalf of the workman. Workman is also not present. Learned Counsel for the management is present. Workman is not present for his evidence despite knowledge. The case was referred by the Central Government in the year 1998 and 12 years old. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record room.

Chandigarh

13-7-2010

G. K. SHARMA, Presiding Officer

(रोजगार और प्रशिक्षण महानिदेशालय)

नई दिल्ली, 4 अगस्त, 2010

का.आ. 2093.—केन्द्रीय सरकार, शिक्षा अधिनियम, 1961 (1961 का 52) की धारा 2 के खंड (ड.) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और केन्द्रीय शिक्षा परिषद् से परामर्श करने के पश्चात्, उक्त अधिनियम के प्रयोजन के लिए प्रौद्योगिकी के क्षेत्र में, निम्नलिखित विषयों को अभिहित व्यवसायों के रूप में विनिर्दिष्ट करती है, अर्थात् :—

“ स्नातक और तकनीकी प्रशिक्षु :

1. कम्प्यूटर हार्डवेयर अनुरक्षण
2. औजार और रुपदा प्रौद्योगिकी
3. खाद्य प्रौद्योगिकी
4. होटल प्रबंधन और खानपान प्रौद्योगिकी

तकनीकी (वृत्तिक) प्रशिक्षु :

1. कम्प्यूटर विज्ञान
2. पशुधन प्रबंधन (कुक्कुट चिकित्सा)
3. नर्सरी प्रबंधन और अलंकरण उद्यान कृषि

4. फल और सब्जियां
5. सहकारिता प्रबंधन
6. लेखा-कर्म सहित कार्यालय सचिव

[फा.सं. डीजीईटी-23(10)(3310)/2010-एपी]

तरसेम लाल, उपसचिव

(Directorate General of Employment and Training)

New Delhi, the 4th August, 2010

S.O. 2093.—In exercise of the powers conferred by clause (e) of Section 2 of the Apprentices Act, 1961 (52 of 1961), and after consultation with the Central Apprenticeship Council, the Central Government hereby specifies the following subject fields in technology as designated trades for the purposes of the said Act, namely :—

“Graduate and Technician Apprentices :

1. Computer Hardware Maintenance
2. Tool and Die Technology
3. Food Technology
4. Hotel Management and Catering Technology

Technician (Vocational) Apprentices :

1. Computer Science
2. Live stock Management (Poultry Husbandry)
3. Nursery Management and Ornamental Gardening
4. Fruit and Vegetables
5. Co-operative Management
6. Office Secretaryship with Accountancy.”

[F.No. DGET-23(10)(3310)/2010-AP]

TARSEM LAL, Dy. Secy.